

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

— — —

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-20264

YLLI DIDANI,

Defendant.

JURY TRIAL - VOLUME 21 - EXCERPT
Testimony of Jason Willock (Continued) and Philip Daskal
BEFORE THE HONORABLE DENISE PAGE HOOD
UNITED STATES DISTRICT JUDGE

Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
Wednesday, March 26, 2025

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TABLE OF CONTENTS

MATTER Page

JURY TRIAL - VOLUME 21 - EXCERPT**Government's Case in Chief (Continued)****JASON WILLOCK**

Continued direct examination by Mr. McDonald..... 6
Cross-examination by Mr. Fink..... 12
Redirect examination by Mr. McDonald..... 55
Examination by the Court..... 59

PHILIP DASKAL

Direct examination by Mr. Bilkovic..... 63
Cross-examination by Mr. Fink..... 162
Redirect examination by Mr. Bilkovic..... 194
Examination by the Court..... 198
Recross by Mr. Fink..... 199

Certificate of Court Reporter..... 200

E X H I B I T I N D E X

<u>Exhibit No.</u>	<u>Description</u>	<u>Identified</u>	<u>Admitted</u>
Government's 73.0	WhatsApp chats	73	75
Government's 73.2	Audio message	85	86
Government's 73.11	Photograph	92	92
Government's 73.17	Photograph	89	90
Government's 73.20	Photograph	126	126
Government's 73.24	Texts about token prices	146	148
Government's 73.25	Voice message	150	150
Government's 73.27	Audio message	151	151
Government's 73.42	Photograph	154	154
Government's 73.45	Photograph	130	131
Government's 73.49	Audio message	136	137
Government's 73.50	Text message screens	133	134
Government's 73.51	Photograph	138	139
Government's 74.0	WhatsApp chats	77	79
Government's 74.5	Photo	119	119
Government's 74.6	Photo of texts	191	194
Government's 74.22	Screenshot of photo	152	152
Government's 119.0	Invoices and sales	94	96
through 119.4	agreements		
Government's 120.0	Sales documents for	97	97
through 120.2	Lexus vehicle		
Government's 121.0	Sales documents for	98	98
through 121.4	Mercedes Benz		
Government's 123.0	Sales documents	98	99
through 123.3			

1 Detroit, Michigan

2 Wednesday, March 26, 2025

3 9:42 a.m.

4 — — —

5 LAW CLERK: All rise.

6 United States District Court for the Eastern District
7 of Michigan is now in session, the Honorable Denise Page Hood
8 presiding.

9 Calling Case Number 21-20264, United States of America
10 versus Ylli Didani.

11 Appearances, please.

12 MR. McDONALD: Good morning, your Honor. Tim McDonald
13 and Mark Bilkovic on behalf of the Government. Also at counsel
14 table is Maria DiCarlo and Special Agent Chad Hermans.

15 THE COURT: Okay. Good morning to you, and you may be
16 seated.

17 MR. FINK: Good morning, your Honor. Wade Fink on
18 behalf of Ylli Didani who is present at counsel table to my
19 right.

20 THE COURT: Okay. Good morning to both of you, and
21 you may be seated also.

22 DEFENDANT DIDANI: Good morning, your Honor.

23 THE COURT: Okay. Yesterday we were at the point of
24 having some voir dire relative to Mr. --

25 Is it Willock; is that right?

1 MR. FINK: Yes, your Honor.

2 THE COURT: Testifying as an expert. And I think
3 sufficient foundation has been laid for him to testify in this
4 way, and that your questions can be taken up on
5 cross-examination, Mr. Fink.

6 MR. FINK: Thank you, your Honor.

7 THE COURT: You're welcome. Let's bring out the --
8 Is your witness here?

9 MR. McDONALD: Yes, your Honor.

10 LAW CLERK: All rise for the jury.

11 (The jury entered the courtroom at 9:44 a.m.)

12 THE COURT: You may all be seated.

13 Are you satisfied -- good morning, jurors. How are
14 you?

15 JURORS: (Collectively) Good morning.

16 THE COURT: Good. Are you satisfied the jurors are
17 present and in their proper seats?

18 MR. McDONALD: Yes, I am, your Honor.

19 THE COURT: What about you, Mr. Fink?

20 MR. FINK: I'm satisfied, Judge.

21 THE COURT: You're laughing, but, you know, jurors
22 sometimes are pranksters, and they think they could change
23 their seats and no one will notice. But usually somebody,
24 either the Judge or one of the counsel, are like really paying
25 attention to where people sit, so ...

1 MR. FINK: I studied it, Judge. I'm comfortable.

2 THE COURT: All right. Very well.

3 Mr. Willock, that's never happened to you; right?

4 THE WITNESS: No, ma'am.

5 THE COURT: You're still under oath.

6 There's hardly any room for humor in criminal cases.
7 So whenever we come upon it we try to take it with no offense,
8 of course, to the defense.

9 THE WITNESS: Absolutely.

10 THE COURT: Please state your name again for the
11 record, and remember you need to speak right here, okay.

12 THE WITNESS: Yes, your Honor.

13 THE COURT: Okay. Very good. State your full name
14 again.

15 THE WITNESS: Good morning. Special Agent Jason
16 Willock from the --

17 THE COURT: You're still under oath.

18 THE WITNESS: Yes.

19 THE COURT: Okay. You may proceed, Mr. McDonald.

20 MR. McDONALD: Thank you, your Honor.

21 THE COURT: And I overruled Mr. Fink's objection
22 before you came out, okay. All right.

23 DIRECT EXAMINATION (Continued)

24 BY MR. McDONALD:

25 Q. Agent Willock, I just have a few more questions for you.

1 When we left off last time, we were talking about
2 one-sided chats.

3 THE COURT: One -- say that again.

4 BY MR. McDONALD:

5 Q. We were talking about one-sided Sky chats. Do you remember
6 that?

7 A. Yes, sir.

8 Q. All right. And you started to say some of the reasons why
9 there may be one-sided chats; is that accurate?

10 A. Yes, sir.

11 Q. All right. In the course of your experience and your own
12 case in California, did you come across one-sided chats, Sky
13 chats?

14 A. Yes, I did.

15 Q. In the course of your own case and other cases you're
16 familiar with, did you come across chats that have been
17 duplicated?

18 A. Yes, I did.

19 Q. Can you describe what that will look like?

20 A. So these chats were portrayed in a spreadsheet, in an Excel
21 spreadsheet document, or a CSB file, as an alternative. And
22 each line would represent a message that was sent, the full
23 message. And let's say that message was on line 5 of the
24 spreadsheet, line 6 would have the exact same data conveyed,
25 repeated, duplicated.

1 Q. Okay. So same content of the message?

2 A. That's correct.

3 Q. And what about date, time and other metadata that was
4 included?

5 A. The same, yes.

6 Q. What about in your experience have you come across data
7 that was produced where chats are tripled?

8 THE COURT: Are what?

9 MR. McDONALD: Tripled.

10 THE COURT: Okay.

11 THE WITNESS: So in the same format, if a message was
12 on line 5, it would be on line 6 and line 7 as well. And then
13 if there was another side, a response to that message, 8, 9 and
14 10 would have the same message.

15 BY MR. McDONALD:

16 Q. All right. And were you given reasons why the data was
17 produced that way by France?

18 A. Yes, I was.

19 Q. And were some of those reasons what you told us yesterday?

20 A. Yes, sir.

21 Q. Now, do you know the total number of messages approximately
22 that were seized by Sky during their operation, or seized by
23 France during the Sky operation?

24 A. As of today, that number is over one billion messages
25 intercepted.

1 Q. And those messages, does each message undergo a decryption
2 process?

3 A. Each message that was intercepted during the course of
4 investigation that has been decrypted has gone through a
5 decryption process, yes.

6 Q. And do you know whether or not the decryption process is
7 ongoing to this day?

8 A. It still is. Messages are still being decrypted.

9 Q. Now, were you or investigators that you were involved with
10 in this investigation able to verify that the data on the
11 server in Roubaix, France was, in fact, Sky data from Sky
12 devices?

13 A. Yes, sir.

14 Q. And can you describe how you were able to determine that?

15 A. So once we identified that Sky Global, Sky Technologies,
16 the couple running the Sky ECC app, had servers to facilitate
17 that communications network, we learned that they used a
18 software provided by BlackBerry. It's called Unified Endpoint
19 Management, or UEM.

20 And I think I previously discussed how UEM is a
21 software tool used by major corporations around the globe to
22 manage mobile devices that are issued from that company. It's
23 a way the security teams can remotely manage those devices and
24 ensure that the companies' data on those devices is properly
25 managed.

1 So that software runs on the same servers that Sky
2 Global utilized, and those servers, or that software, is
3 identified through a license, or an SRPID.

4 Q. What's an SRPID?

5 A. Server routing protocol ID. It's a unique identifier that
6 those devices have to connect with to the server. It's
7 basically a way that the device is validated to be on that
8 server.

9 And so by having those SRPIDs from BlackBerry, when we
10 interacted with them to get information about the licenses for
11 the software that Sky Global had, we were able to show that Sky
12 ECC application was running on those servers by means of having
13 those identifiers.

14 Q. All right. And how were you -- were you able to identify
15 the devices that were using those servers?

16 A. Yes.

17 Q. All right. And how were you able to do that?

18 A. So every device is managed by Sky ECC with a mobile device
19 management tool, and every device has on it an SRPID. We asked
20 BlackBerry for all the devices that had that identifier. We
21 also understood that the devices had to connect to these
22 servers through a mobile network, a cellular network.

23 And the bulk of those devices either had AT&T SIM
24 cards in them or a Dutch telecom known as KPN. So the Dutch
25 interacted with KPN, and my team in the U.S., with me being the

1 primary liaison, interacted with AT&T.

2 And we requested a run of all the devices a couple of
3 times. We didn't do it just once. So that allowed us to get a
4 snapshot of all the devices on the network during those time
5 periods.

6 Q. You talked yesterday about encryption and something called
7 Wireshark. Am I saying that right?

8 A. Yes, sir.

9 Q. All right. And do you know whether you or other
10 investigators in the foreign Sky investigation utilized
11 Wireshark to decrypt these messages?

12 A. Yeah. So the European team, the Dutch, Belgians and French
13 utilized the platform Wireshark.

14 Q. Are you familiar with Wireshark?

15 A. Just in general terms.

16 Q. Do you know whether it's a commonly used tool in the
17 industry?

18 A. Yes.

19 Q. Yes, it is a common tool?

20 A. Yes, it is. Yes.

21 MR. McDONALD: May I have one moment, your Honor?

22 THE COURT: You may.

23 (Briefly off the record.)

24 MR. McDONALD: No further questions. Thank you.

25 THE COURT: Cross-examine, please.

1 CROSS-EXAMINATION

2 BY MR. FINK:

3 Q. Agent Willock, we've spoken before, but I'm Wade Fink,
4 Mr. Didani's attorney. Sorry to keep you an extra day. I hope
5 you enjoyed Detroit last night a little bit.

6 A. No worries. Thank you, sir.

7 Q. Agent, do you know what Operation Argus is?

8 THE COURT: A-R-G-U-S?

9 MR. FINK: Yes, ma'am.

10 THE WITNESS: I'm familiar with that name, yes, sir.

11 BY MR. FINK:

12 Q. What is it, or what's your familiarity with it?

13 A. That is the name that the Dutch authorities title their
14 investigation.

15 Q. Do you know what the actual operation was or what it was
16 referring to?

17 A. My understanding is that Argus is their approach to the Sky
18 ECC investigation.

19 Q. The monitoring of the live messaging being sent once the
20 decryption had been done; correct?

21 A. I think that's fair. The Dutch did not discuss the name of
22 their investigation with me. I could say I learned of it
23 afterwards.

24 Q. Sure. Do you know what Argus is?

25 A. I do not.

1 Q. You ever heard of the Greek mythology Argus Panoptes,
2 meaning the all-seeing one? Does that sound familiar?

3 A. That does sound familiar, yes.

4 Q. Operation Argus, the all-seeing one; right?

5 A. Absolutely.

6 Q. Do you know how long it would have taken or how many
7 agents, or can you put into perspective how long it would have
8 taken the amount of information that was obtained from Sky ECC
9 to review all of it?

10 A. I cannot answer that.

11 Q. Are you aware that one French court estimated it would take
12 about 635 years or 400 agents to review all those messages?

13 A. I've heard numbers along those lines.

14 Q. My point being it's an extreme amount of data; correct?

15 A. Absolutely.

16 Q. Now, the United States -- you expressed on direct
17 examination some familiarity with U.S. efforts to combat the
18 concern of encryption services being used to commit crimes;
19 correct?

20 A. Yes, sir.

21 Q. And that's a longstanding effort by our government;
22 correct?

23 A. Yes, it is.

24 Q. In fact, it dates back to the '90s when we even heard of
25 encryption services; correct?

1 A. My estimate is more than 20 years.

2 Q. Sure.

3 A. Yes.

4 Q. Well, for example, have you ever heard of the Clipper chip?

5 A. No, sir.

6 Q. You ever heard of efforts previously to obtain access by
7 the United States government to encryption services? Are you
8 familiar with any of the government's efforts prior to this
9 case?

10 A. Well, I was involved in one of those cases, and I've heard
11 of others, yes.

12 Q. Would you agree with me that there has been a debate, for
13 lack of better term, about what the balance is between the
14 right to privacy and the Fourth Amendment and the government's
15 efforts to decrypt or infiltrate encryption services?

16 A. Absolutely. It's a very serious concern.

17 Q. And a lot of government efforts have been -- I'm using this
18 word, I'm not intending for you to, but thwarted or put on hold
19 by certain court decisions; correct?

20 A. I understand that efforts have been limited, yes.

21 Q. Sure. Now, the United States' involvement with the Sky ECC
22 investigation to the best of your recollection began when?

23 A. The summer of 2018.

24 Q. And do you remember the genesis of the United States'
25 involvement, what sparked our government's interest or

1 collaboration in that effort?

2 A. Well, my co-case agents on the investigation, we had worked
3 together targeting a company known as Phantom Secure.

4 THE COURT: I'm sorry?

5 THE WITNESS: My investigative team, the other agents
6 I worked with at the time, were fresh off of an investigation
7 targeting a company known as Phantom Secure that was located in
8 Vancouver, Canada.

9 And during the course of that investigation we learned
10 of the competitor, Sky Global, Sky Technologies, managing the
11 app, Sky ECC. And through our investigative efforts, speaking
12 with confidential sources and others that were arrested during
13 that investigation, we learned and suspected that Sky Global
14 was involved in facilitating narcotics trafficking and
15 supporting organized criminal activities around the globe.

16 BY MR. FINK:

17 Q. So the genesis of the United States' involvement with the
18 investigation, the collaborative effort with other nations into
19 Sky ECC, started with the case that you were working on?

20 A. Well, initially the case file I opened was purely a
21 domestic case targeting individuals in the U.S. and in Canada.
22 We had communications with the Canadian authorities and other
23 federal agencies in the U.S., but at that time I was not
24 familiar with the European efforts or who was involved in
25 Europe.

1 Q. And that's what I'm asking. I mean, the one thing -- one
2 investigation per usual in federal cases led to another and the
3 discovery of Sky ECC and Sky Global and eventually to
4 international efforts that had been ongoing; is that accurate?

5 A. I think that's a fair way to frame it.

6 Q. Thank you. Now, just put in perspective -- you did a
7 little bit of this on direct examination. Broadly speaking,
8 and I know this might be a little different, the technology for
9 each app, but broadly speaking the idea of encrypted messaging
10 is one device sends a message to a server, and that server
11 sends the message to another device and it's hosted elsewhere.
12 Is that a general fair way to describe how the message goes
13 from one phone to another?

14 A. That is a very common way. There are other means, but,
15 yes, that is a common means of sending encrypted
16 communications.

17 Q. And the idea is to keep those messages private or difficult
18 to discover to an outside source for whatever reason might want
19 to be seeing that information; right?

20 A. That's correct.

21 Q. And colloquially we know a lot of those apps exist just
22 domestically that the jurors, myself or anybody might use
23 themselves; right?

24 A. Yes, sir.

25 Q. We have Signal?

1 A. Yes.

2 Q. Which has become famous as of this week; right?

3 A. Yes.

4 Q. We have WhatsApp; right? In fact, even iMessages have
5 end-to-end user encryption; correct?

6 A. Yes. They employ a type of encryption, yes.

7 Q. Would you agree with me that the use of encryption devices
8 for messaging has numerous legitimate purposes, non-illegal
9 purposes?

10 A. Yes.

11 Q. Companies who have secrets or technology or communicate
12 about things that is proprietary might use it; correct?

13 A. Absolutely, yes.

14 Q. Drug manufacturers, for example?

15 A. I believe they might have a need.

16 Q. A company like Raytheon who has government contracts,
17 defense contracts; right?

18 A. Yes.

19 Q. There might be other legitimate uses like sources for
20 journalists; correct?

21 A. That's correct.

22 Q. Might be legitimate to be -- a whistleblower may want to
23 tell a journalist about something illegal going on, but doesn't
24 want to be discovered; right?

25 A. That's correct.

1 Q. It might be foreign intelligence whistleblowers that want
2 to help the U.S. or others that don't want to be discovered;
3 correct?

4 A. Yes.

5 Q. There's also just, believe it or not, general privacy that
6 people want; right?

7 A. That's fair to say.

8 Q. Maybe celebrities, for example, want to share information
9 about their lives and what's going on without fear of the
10 paparazzi or anyone similar intruding; correct?

11 A. Yes.

12 Q. Maybe people want to share intimate photos with partners
13 that live elsewhere; right?

14 A. I could say that is correct.

15 Q. I'm not saying that you know that to be the case. I'm
16 saying that seems like a reasonable use. If two people who
17 love each other live in different parts of the world and want
18 to intimate and don't want to share it with the world, that
19 could be one use; right?

20 A. What use are they -- I guess I just don't --

21 Q. Send intimate photos of each other, naked photos of each
22 other to people who love each other who don't live in the same
23 state and they don't want their naked pictures on the internet.
24 They might use encrypted services; right?

25 A. A particular type of encrypted service, yes.

1 Q. Sure. Now, when you began your investigation, or the
2 impetus for your investigation became known when you were
3 investigating Phantom Secure and became aware of Sky Global,
4 you started building relationships with companies that may
5 utilize the Sky Global service; is that accurate? I believe
6 you said BlackBerry, for example.

7 A. Well, utilize tools from those companies, and those
8 relationships were already existing when the Sky Global
9 investigation commenced.

10 Q. So in your other investigations you had already started
11 building those relationships with the companies and come across
12 Sky Global that just becomes another topic of investigation and
13 discussion with these relationships; correct?

14 A. Well, it just -- it doesn't just become, you know. Those
15 conversations were based off of investigative research and
16 quality controlling information that we had to ensure that we
17 were looking at something that was of a criminal nature.

18 Q. Were you involved in the United States' investigations of
19 the CEOs of Sky Global?

20 A. Yes.

21 Q. Mr. Eap?

22 A. Yes, sir.

23 Q. I believe Mr. Herndon?

24 A. Herdman.

25 Q. Herdman?

1 A. Herdman, yes.

2 Q. Thank you. You were one of the agents on those cases?

3 A. Yes, sir.

4 Q. And, correct me if I'm wrong, as your investigation
5 progressed, and feel free to -- I'm not trying to narrow your
6 answers, but just -- so if you need to expound tell me. But at
7 some point the U.S. believed that the CEOs of this company, Sky
8 Global, were involved in illegality themselves; correct?

9 A. That's correct.

10 Q. And, generally speaking, the United States was intent on
11 indicting these two individuals in connection with their
12 creation of Sky ECC or Sky Global; correct?

13 A. That was our investigative goal when we started the case.

14 Q. What year, approximately? I know it may not be precise.
15 What time and year at least did the United States' interest in
16 the leadership of Sky Global become a criminal investigation?

17 A. Officially summer of 2018.

18 Q. Summer of 2018, okay. Now, the reason I ask that is, if I
19 heard you correctly, you were one of the United States'
20 representatives at a global meeting -- well, I should say an
21 international meeting. Was it in the Netherlands?

22 A. Yes, at The Hague.

23 Q. You had a meeting at The Hague with other law enforcement
24 agencies to discuss Sky Global and strategies of combatting the
25 illegal activity; correct?

1 A. Yes, sir.

2 Q. Now, how many representatives of the United States were at
3 that meeting, approximately?

4 A. I believe there were two prosecutors from the Southern
5 District of California, an intel analyst. So that would be
6 three. And maybe four agents. So seven of us, approximately.

7 Q. Relatively small group; correct?

8 A. Yes, sir.

9 Q. Makes you pretty famous in some circles who follow this;
10 right?

11 A. I wouldn't use the word "famous," but I was humbled to be a
12 part of that meeting.

13 Q. It was a big deal; right?

14 A. It was significant.

15 Q. And at that meeting there was a discussion amongst how many
16 nations, would you say, about combatting the ill effects that
17 law enforcement viewed was coming from Sky Global?

18 A. I believe there were roughly 12 or 13 countries present at
19 that meeting.

20 Q. And I know you're not going to list all of them, but can
21 you give a snapshot of the ones you recall involved?

22 A. It might be easier for me to think about it going west to
23 east.

24 Q. Sure.

25 A. But England, Spain, France, Belgium, the Netherlands,

1 Italy. Germany may or may not have been there. Australia,
2 Canada and, of course, the U.S. And I'm definitely missing --

3 Q. No, I understand.

4 A. Norway I believe was there.

5 Q. I think you said Belgium; correct?

6 A. Yes.

7 Q. Belgium, the Dutch and the Netherlands and France would you
8 agree with me are three of the bigger international players in
9 this investigation; is that accurate?

10 A. France, Belgium and the Netherlands were the most
11 significant of the countries present.

12 Q. Other than us; right?

13 A. Yes.

14 Q. Desire to indict the CEOs of Sky Global, or the desire to
15 at least investigate and hopefully result in an indictment if
16 the evidence bore it out, began in summer of 2018?

17 A. Yes, sir.

18 Q. This meeting occurred in February of 2019?

19 A. Yes, sir.

20 Q. That was a discussion point at that meeting; correct?

21 A. Whether we would be able to indict the CEO?

22 Q. The U.S.'s desire to indict the CEO.

23 A. That was discussed, yes.

24 Q. In fact, there was a tacit agreement between the United
25 States and these other countries that the United States would

1 let these other countries finish their investigation and what
2 they wanted to do before the United States indicted the CEOs;
3 is that correct?

4 A. You said a tacit agreement.

5 Q. Are you aware of the French report that said there was a
6 tacit agreement between the American and Dutch authorities that
7 allowed the European investigations to continue with the
8 American suspending further operations pending ongoing
9 investigations? Are you aware of that?

10 A. I recall reading or seeing reporting along those lines. I
11 just wanted to clarify the term you were using.

12 Q. Sure. I'm using it because that's from the French report,
13 but let's just take out the word "tacit" because I don't think
14 that's an important part. There was some general
15 understanding --

16 A. Yeah, I would say --

17 Q. -- that the United States would hold off on indicting these
18 individuals while Europe continued doing what it was going to
19 do with its Sky ECC investigation; right?

20 A. Yeah. Nothing formally was signed or a handshake. It was
21 a general agreement.

22 Q. You had mentioned that -- I just want to understand, and I
23 know this is very complicated. So I apologize if I'm jumping
24 around. I apologize to the jury and you. If I need to
25 reorient myself in the timeline, tell me.

1 But my understanding from your direct testimony is --
2 I'm going to use the word "you," but the United States, you,
3 got a list of IP addresses and PINs from BlackBerry phones that
4 had been seized, or from BlackBerry through requests, something
5 along those lines? Can you make me more precise with what I'm
6 saying?

7 A. I guess I'm still trying to track what you're referring to.

8 Q. So you obtained information from BlackBerry that then
9 eventually led to the seizure of the French -- the seizure of
10 the server in France; right? Is that an accurate statement
11 generally?

12 A. I think the information that we were able to secure, that
13 we were able to obtain, assisted France in their -- and the
14 Belgians and Dutch and the others involved with the seizure of
15 Sky servers.

16 Q. That's what I'm asking. I want to understand precisely
17 what you got and did with BlackBerry.

18 A. Yeah.

19 Q. And then what was transmitted to Europe. So I may have
20 stated it as a layman who doesn't really understand the
21 technology like you do, but what did you do specifically with
22 BlackBerry? What information did you get that you then
23 transmitted?

24 A. I think it would be tough for me to give you a full
25 catalog.

1 Q. Okay. 30,000 --

2 A. Yeah. So ultimately it was information related to the
3 types of accounts, the types of software, the types of tools
4 that Sky Global purchased from BlackBerry. Also, data that
5 BlackBerry had related to phones that they were able to observe
6 or other computer-type tools that would interact with the
7 BlackBerry system or infrastructure.

8 Q. And you made a request, you being the Government or whoever
9 may have done it, but you have knowledge that there was a -- I
10 believe you said a judicial request made of BlackBerry for this
11 information; is that correct?

12 A. Multiple different types.

13 Q. What does that mean, a judicial request?

14 A. So anything from a subpoena all the way up to a search
15 warrant.

16 Q. So the United States went -- got process of some kind;
17 right?

18 A. Yes.

19 Q. Said, BlackBerry, we want X, X and X information; right?

20 A. Yes.

21 Q. We took that information from BlackBerry that was given to
22 us in response to these various judicial requests, right, "we"
23 being the United States?

24 A. Yes.

25 Q. We, the United States, then sent that to French, Dutch and

1 other authorities to assist in their investigation of Sky
2 Global, Sky ECC; right?

3 A. Just to clarify.

4 Q. Sure.

5 A. To use the word "sent," there's a whole process. So it
6 wasn't we received something and then we throw it in an
7 envelope and mail it over. Some of this data or documentation
8 or information requires us to go through a process with
9 elements of the justice department in D.C. to get approval to
10 share.

11 Q. So it may be similar to an MLAT. There's processes by
12 which we get information to other countries; correct?

13 A. Yes, sir.

14 Q. I am using this in a very layman way just to understand
15 transactionally. So I'm not trying to pin you down that
16 something was done improperly in terms of the sharing. I'm
17 just asking that properly, I'm assuming --

18 A. Yes.

19 Q. -- this information that we got, the United States through
20 our process, was then shared with our European law enforcement
21 friends; correct?

22 A. I can appreciate that. I just felt the need to clarify
23 that.

24 Q. I appreciate you. But that's true generally what I said?

25 A. Yes, sir.

1 Q. Okay. And it's your understanding that the information
2 that we obtained from BlackBerry through judicial process here
3 was at least part and parcel of seizing the very first server
4 of Sky Global in Roubaix, France; correct?

5 A. I would offer it helped. The information that we obtained
6 I think it's important to note France could have obtained it
7 without us.

8 Q. The information we gave them, like IP addresses, helped
9 narrow where that server was; is that accurate?

10 A. Bingo. It did, yes.

11 Q. So the time in which it was seized relative to when France
12 may have discovered it on their own certainly was aided by our
13 help; correct?

14 A. I think that's fair to say.

15 Q. So at this point in my timeline, which I know I'm not being
16 perfect on, but just going linearly as opposed to this date,
17 this date, this date, we have an investigation into -- I just
18 want to recap -- into the owners of Sky Global in summer of
19 '18, an agreement in February of '19 that we're not going to
20 charge them while this Sky ECC investigation continues to go
21 on. And during the same time the U.S. is assisting its foreign
22 allies and law enforcement to discover the servers and other
23 information about Sky Global. Is that a general recap of what
24 we just talked about?

25 A. I think it's important to note they were assisting us as

1 well in the U.S.

2 Q. To be sure, and I was going to get there, but the seizure
3 of that server in France is really what led to the downriver
4 flow here of everything that came after; right? I'm talking
5 about -- when I say that, I mean live -- reviewing messages
6 live, being able to decrypt otherwise encrypted messages. I
7 mean, it all stems from getting that server; right?

8 A. I think in a simplistic way, yes, that's accurate.

9 Q. Black Friday, so to speak, of Sky Global came in March of
10 2021; right?

11 A. Yes, sir.

12 Q. And that was when it was made known that there was seizures
13 that all these messages had been discovered, Sky Global was
14 shut down; correct?

15 A. Yeah. Just to clarify, is it Black Friday or Black Monday?

16 Q. I'm using that term generally speaking. The day that
17 everyone knows for Sky Global happened in March of 2021; right?

18 A. Yes.

19 Q. Okay. And the U.S. took Sky's website off the web;
20 correct?

21 A. That's correct.

22 Q. We seized their website?

23 A. We did.

24 Q. And three days after our European friends in law
25 enforcement shut down Sky Global, three days later we indicted

1 Mr. Eap and Mr. Herndon (ph)?

2 A. Thomas Herdman.

3 Q. Herdman; correct?

4 A. I believe it was roughly three days, you know, with the
5 time difference and whatnot.

6 Q. Understood. You had mentioned in 2019 that prior to
7 seizing the server of Sky Global in France there had been a
8 judicial French warrant that authorized that seizure; is that
9 correct?

10 A. Yes, sir.

11 Q. Do you know -- have you seen that warrant?

12 A. I have not.

13 Q. Are you aware that at a similar time a Dutch judge had
14 denied the Netherlands permission to seize Sky chats in the
15 Netherlands?

16 A. I do recall that during the course of the European
17 investigation with the Dutch, Belgians and French that each of
18 their courts granted and limited operations or requests.

19 Q. Different countries had different views of what was
20 authorized and what wasn't; right?

21 A. Yes. We were even limited in the U.S.

22 Q. We were limited by that darn thing called the Fourth
23 Amendment; right?

24 A. We're limited by many amendments and statutes, yes.

25 Q. Dutch judge, do you recall reading, "It could not be

1 established that the users of Sky ECC were using the system
2 exclusively for illegal purposes." Do you recall that?

3 A. I don't recall that exactly, but I do recall that there
4 were limitations.

5 Q. The Dutch judge, "It has not yet fully clarified how
6 exactly the intercepted encrypted data was ultimately decrypted
7 in cooperation with the French." Do you recall that?

8 A. I do not.

9 Q. Do you recall that a judge in Panama acquitted 28
10 defendants because of the significant flaws in the evidence
11 presented -- the electronic evidence presented from the servers
12 from Sky ECC? Are you aware of that case?

13 A. I am not.

14 Q. Did you author any search warrants in the United States for
15 -- or are you aware of any of your colleagues authoring any
16 search warrants in the United States for Sky ECC chats?

17 A. Not for chats. For data, metadata, mobile tower location
18 history, things of that nature, but not for content in the U.S.

19 Q. Are you aware or did you author any search warrants or any
20 of your colleagues for the seizure of that server in France?

21 A. Not for the server in France, no, sir.

22 Q. Are you aware of any search warrants or anything similar
23 for any real-time chats that were discovered as a result of
24 that seizure?

25 A. Warrants in the U.S. for real-time chats, I'm not aware of

1 any of those.

2 Q. Are you aware that the U.S. benefited from France, Belgium
3 and Dutch efforts to reveal real-time chats as a result of the
4 seizure of that server?

5 A. I would ask you to define "benefit."

6 THE COURT: I'm sorry?

7 THE WITNESS: Your Honor, I'm asking him to define the
8 word "benefit."

9 THE COURT: Okay.

10 MR. FINK: I'll try to ask it more precisely, Judge.

11 BY MR. FINK:

12 Q. Were investigations in the United States aided or furthered
13 in any way by the discovery of these real-time chats as a
14 result of the seizure of the server in France?

15 A. I don't know that the real-time chats, because the U.S. did
16 not have access during the -- so there was a live phase where
17 messages were intercepted and decrypted real-time, but they
18 weren't read. And then there was a phase during that period
19 where as the messages came in, they were read. And we're
20 talking in the neighborhood of a million messages per day were
21 going across the network, and officers and agents across Europe
22 were reading those. The U.S. was not a part of that wire room
23 or interception room. We did not read any real-time messages.

24 Q. Was there any information shared about any imminent dangers
25 or anything coming from those real-time chats that you know of?

1 A. I do recall, we call it threat to life, TTL, that those
2 situations arose during the live phase in Europe and other
3 countries.

4 Q. And that could be -- that information could be from United
5 States users, European users, it could be from anyone; right?

6 A. It could.

7 Q. Necessarily captured in this review of real-time messages
8 and historic messages, necessarily captured in that is a
9 tremendous amount of nonillegal activity; correct?

10 THE COURT: Is a tremendous amount of what?

11 BY MR. FINK:

12 Q. Nonillegal or otherwise legal activity; correct?

13 A. I'm having trouble understanding that question, because
14 defining "nonillegal activity" is, I think, important.

15 Q. You're going to capture conversations in a billion
16 messages?

17 A. Right.

18 Q. That say, hello, how are you, I'm good, how are you;
19 correct?

20 A. But if I'm a criminal, if I'm engaging in criminal activity
21 and I'm talking to someone on the other end of that phone who's
22 also engaging in the same criminal activity, and I ask them how
23 are they doing and how is dinner, that's still a part of our
24 criminal relationship.

25 Q. I don't disagree with that, but, Agent Willock, I don't

1 think you're going to disagree with me that every single chat
2 that was seized, monitored historically or a live was related
3 to unlawful activity; correct? You're not seriously going to
4 say a billion messages were all unlawful activity, are you?

5 A. There's no way I would say "all," but when I use the term
6 "vast majority, extremely high percentage," I'm comfortable
7 saying that.

8 Q. How could you possibly know that when we agreed with each
9 other that it would take 635 years and 400 agents to read those
10 messages?

11 A. Because of how I clarified the fact that those messages of,
12 hello, how are you, how's dinner, are part of a criminal
13 activity, a criminal practice, and that the Europeans utilize
14 software to search the messages, artificial intelligence
15 programs. And then additionally we send out -- you offered
16 that we seized the website?

17 Q. Yes.

18 A. Broadcast messages were relayed saying if you are the owner
19 of a Sky device, or have been on a Sky network and utilized it
20 for nonillegal purposes or are concerned about your data,
21 please call the U.S., FBI, DEA, IRS, and we did not receive any
22 phone calls.

23 Q. That was after the fact; correct?

24 A. That was after the fact, yes.

25 Q. Are you aware that the Canadian police were using Sky ECC

1 for their own purposes?

2 A. Define "for their own purposes."

3 Q. Law enforcement -- furthering law enforcement
4 investigations.

5 A. Yes. We were using it as well as in the U.S.

6 Q. Those weren't illegal chats; correct?

7 A. I don't know what the Canadians used it for. I know that
8 we used it in an undercover capacity. And I would anticipate,
9 you know, testing and understanding how the devices work. I
10 can't articulate or answer that question for the Canadians, but
11 based on my experience with them, they would have been using it
12 for the same purpose.

13 Q. I appreciate the acknowledgment that you can't know what
14 you don't know about what the Canadians were using it for, and
15 that's what I'm asking you, Agent Willock. I'm asking you that
16 necessarily involve decrypting a billion messages are going to
17 be messages of a nature that have nothing to do with a criminal
18 investigation. That's what my original question was. You
19 don't agree with that?

20 A. I just -- I need -- I deal in percentages or numbers. And
21 to make a statement that was contradictory to what I believe,
22 if you could offer a value of what percentage were noncriminal.

23 Q. Well, I mean, I've told you that many judges have denied
24 process to law enforcement who have asked, one a Dutch judge
25 and one a Panamanian judge at least, who believe the nexus

1 between criminal activity and the use of these encryption
2 services were insufficient; right? That's an example I gave
3 you; correct?

4 A. So you did provide those examples, and again you used the
5 word "many." I also am aware of, I guess, we could say many
6 judges that upheld the fact that those messages were criminal
7 and the network was run by criminals, used by criminals,
8 facilitated by criminals.

9 Q. Was there any discussion amongst your team that dealt with
10 the Sky Global investigation and your interactions with the
11 Europeans? I'm talking just over many years here. Was there
12 any discussion at any point about the constitutionality of your
13 efforts to seize messages from the Sky Global servers?

14 A. Absolutely.

15 Q. Was the Fourth Amendment discussed?

16 A. In general terms, the Fourth Amendment served as the
17 background for how we would author judicial requests.

18 Q. Did anybody express concern about allowing foreign
19 countries to do things that we couldn't do and then reaping the
20 benefits of that without having to use our process in the
21 Fourth Amendment? Was there any discussion about that?

22 A. No, because the technology didn't reside in the U.S. The
23 servers were on foreign soil.

24 Q. I'm not asking necessarily whether it would have been right
25 or legal or not legal. I'm not asking you to draw a

1 conclusion. I'm asking if you, Agent Willock, and your team,
2 had any concern about the privacy risks of asking foreign
3 countries to do things the United States might not be able to
4 do? Was there any concern about that?

5 A. I think everything we do, all of the conversations, our
6 training, our understanding of the law, we use that as a
7 backdrop, right. The concern is embedded. And so we have
8 constant dialogue with our attorneys and the counsel in our
9 respective offices.

10 Q. I ask that, because the United States made a conscious
11 choice to forego prosecution against two individuals in the
12 United States so that the Europeans could seize and otherwise
13 investigate Sky Global without any hindrance or notification;
14 right? That statement is correct so far; right?

15 A. We for -- whatever the past tense of "forego" is, we were
16 able to delay prosecution of identified individuals, but we
17 also pursued prosecution of other associates of Sky during that
18 time.

19 Q. The reason you forewent, the reason that we -- I don't know
20 if that's right either. The reason we agreed to do that was to
21 not hinder or otherwise jeopardize the investigation the
22 Europeans were doing; right?

23 A. That's a common practice amongst --

24 Q. I'm not saying it's wrong. I'm just saying is that what we
25 were doing? They made a request of us and we said, okay, we'll

1 honor that; right?

2 A. Yes. I can say that's fair to say, yes.

3 Q. And my concern is that the United States then benefited
4 from the Europeans doing things under their more maybe, maybe
5 not, generous constitutions, and then we reap the benefits of
6 that investigation. That's why I'm asking you was there a
7 conversation about these topics?

8 THE COURT: And now is that a question, was there a
9 conversation --

10 MR. FINK: Yes.

11 THE COURT: Because you asked him that before, so ...

12 MR. FINK: I'm trying to contextualize what I'm asking
13 they had a conversation on, Judge.

14 THE COURT: Okay. You may answer.

15 BY MR. FINK:

16 Q. Did you have those concerns?

17 A. I think -- I'll answer the question with a little
18 background.

19 Q. Sure.

20 A. You talked about the meeting that we had in The Hague in
21 the winter of 2019, in February 2019, and then there were many
22 other meetings. The U.S. was committed to prosecuting,
23 obtaining an indictment on the principal figures at Sky, no
24 matter what happened in Europe.

25 At that meeting, one of my colleagues from the

1 Netherlands said that he believed we could reach our ultimate
2 goal, and multiple others said it would be impossible for us to
3 accomplish what we did. It was somewhat unprecedented to
4 intercept encrypted traffic in the manner that the
5 investigative team did.

6 Q. Completely agree with that.

7 A. Right. And so when I say -- I give you that background to
8 say we benefited, we, the U.S., the American people, drug
9 shipments were interdicted, lives potentially saved, in this
10 investigation. But in a prior investigation that pretty much
11 mirrored the Phantom Secure investigation, we did not intercept
12 any messages.

13 So to say there was a benefit, I agree, but regardless
14 we were going to benefit. So I don't think there was
15 necessarily an added benefit, an increased benefit, other than
16 investigations were furthered and a light was shined on
17 criminal activity.

18 Q. Are you aware that the United States gave Belgium \$800,000
19 to assist in its Sky Global investigation around the time of
20 that meeting?

21 A. I am not aware of any funds being transferred.

22 Q. I have a note here from your direct examination about the
23 United States. I wrote "hooks into server in 2019, 2020."
24 What did you mean by that?

25 A. So -- yeah. I use a, you know, colloquial or

1 conversational term "hooked." I'm not a telecommunications
2 specialist. I'm not a computer scientist. I never visited the
3 site where the servers are in France. I only know what they
4 looked like and what type of system they were based off of what
5 I was told.

6 So those investigators needed to find a way to connect
7 in or to facilitate getting the data off of those servers. So,
8 you know, as you might back up an iPhone on a computer or
9 transfer data from one computer to another onto a hard drive,
10 how you hook that appliance or facility into that computer
11 that's what I'm trying to reference by using that.

12 Q. So the United States did have some hook or technological
13 connection to the servers that were seized in 2019 and '20;
14 correct?

15 A. We did not -- when you say we had a hook --

16 Q. Yeah.

17 A. We had no connection, no -- we just had verbal or written
18 awareness. We did not have any technical participation or
19 physical participation.

20 MR. FINK: One moment, your Honor.

21 (Briefly off the record.)

22 BY MR. FINK:

23 Q. Do you know Special Agent Bill Bogner?

24 THE COURT: How do you spell it?

25 MR. FINK: B-O-G-N-E-R, your Honor.

1 THE COURT: Okay.

2 THE WITNESS: Yes, sir. He's a retired special agent
3 in charge of the office I work in.

4 THE COURT: In Los Angeles?

5 THE WITNESS: Los Angeles, yes.

6 BY MR. FINK:

7 Q. We have a quote upon the arrest in March of 2021, in a
8 press release from the Department of Justice, "The DEA
9 maintains an evolving global reach, and combined with strong
10 law enforcement, foreign law enforcement partnerships, is
11 committed to searching out the most significant organized
12 criminal groups facilitating sophisticated narcotics
13 trafficking networks. The joint effort to pursue these
14 individuals who hide behind encrypted communication platforms
15 shows that even the use of advanced technology will not enable
16 suspects to conceal their criminal activities from law
17 enforcement."

18 Do you agree with that statement?

19 A. I do.

20 Q. You started to discuss with Mr. McDonald some of the
21 information that is often received -- well, I guess using your
22 case as the example, information that you'll receive by MLAT of
23 the historical chats from Sky ECC and the format you receive
24 it. Do you remember talking about that?

25 A. Yes.

1 Q. Okay. And, generally speaking, in order to read these
2 chats, they come on an Excel spreadsheet; right?

3 A. Typically.

4 Q. Okay. And basically you're looking at PIN number, content
5 of message, date, whatever other categories are in the Excel
6 spreadsheet; correct?

7 A. Yes, sir.

8 Q. The case that you're involved with, has that been
9 prosecuted yet?

10 A. Both individuals that we indicted at the principal level of
11 Sky ECC are still out of the U.S. and awaiting extradition.

12 Q. All right. So you haven't in your case had to -- or maybe
13 you have. Have you disclosed this information to defense
14 counsel yet, the Sky ECC data, do you know?

15 A. So I --

16 Q. If you know.

17 A. Yeah. I think I just need to organize my thoughts around
18 this. I personally interviewed Mr. Thomas Herdman, one of the
19 people we indicted who is a principal figure, a distributor, a
20 lieutenant of Mr. Eap, the CEO. He sought to cooperate with us
21 with his counsel. I conducted those interviews with him after
22 the indictment. Unfortunately, the French have taken him into
23 custody and charged him with crimes that he committed in their
24 country. So he is currently in jail in France.

25 Our U.S. Attorneys, our Assistant U.S. Attorneys, met

1 with Mr. Eap, the CEO of Sky Global, with his attorneys in the
2 U.S. I believe they turned over some information, some
3 discoverable material.

4 Q. So you -- I could ask this question better. Have you taken
5 part in packaging for discovery, packaging for an attorney, Sky
6 ECC chats?

7 A. No.

8 Q. Do you know the format? Are you aware of what it looks
9 like when it's given to counsel or the court or shown in front
10 of a jury? Do you know the format it would be shown in?

11 A. I believe I've seen it, yes.

12 Q. From my end, correct me if I'm wrong, as you understand it,
13 what I'm getting is Excel spreadsheets of these chats; right?

14 A. Yes, sir.

15 Q. Is there any metadata associated with what I'm receiving
16 from Sky ECC chats that come from overseas?

17 A. It's my understanding that metadata would be in those
18 files. It's included. It should be.

19 Q. The purported metadata of what it shows, the data itself;
20 right?

21 A. Right.

22 Q. Not the actual metadata as a thing. I don't have the
23 actual code of the metadata?

24 A. Right. The actual encrypted messages, my understanding, my
25 experience, right, is when you obtain those messages from the

1 French, because they are the custodians of those messages, they
2 don't provide the raw information.

3 Q. That's precisely what I'm driving at. We receive, we being
4 the United States, you, law enforcement?

5 A. Yes.

6 Q. When you make a request by MLAT or otherwise to get these
7 chats, how it comes to you is in a summary format in an Excel
8 spreadsheet; right?

9 A. That's correct.

10 Q. So we are wholly reliant that we are being told the truth
11 and the whole truth from the party requested from; right?

12 How about -- let me strike that and ask it a different
13 way. Agent Willock, would you have any idea, but for trust of
14 another law enforcement officer, that someone in France did not
15 manipulate or edit the Excel spreadsheets?

16 A. I have additional trust in that --

17 Q. I'm saying besides your trust. Is there any way you would
18 know it just from looking at the spreadsheet?

19 A. Well, I would know that the Netherlands Forensic Institute,
20 in June of 2022, did a comprehensive study of the data and the
21 messaging and issued a report that has been utilized in
22 European courts outside of the Netherlands. So I know by
23 review of that report and talking to colleagues that were
24 involved, not necessarily with its production, but in a peer
25 review-type environment, that a study has been done by people

1 outside of France on the data and the integrity of it.

2 I'm also aware that the highest court in Belgium has
3 upheld convictions of subjects where Sky ECC data was utilized.
4 I know the Netherlands has other investigations. I also am
5 understanding that in the country of Bosnia that data has been
6 upheld.

7 Q. I'm hearing you loud and clear, and I'm hearing that I have
8 a lot of faith in the courts of other countries and other
9 agents. I'm asking a very specific question. When you receive
10 those chats from your European contemporaries --

11 A. Yes.

12 Q. Okay. And they come to you on a disk and you click on the
13 Excel spreadsheet and it populates with the PIN number and
14 messaging and everything it populates.

15 A. Yes.

16 Q. Looking at that document, you cannot say one way or another
17 whether this has been manipulated or otherwise edited from its
18 original native format; correct?

19 A. I'm not able to say that about any document I receive.

20 Q. That's fair.

21 A. Yeah. Whether it's from France, another country, another
22 agency.

23 Q. Whereas if you yourself --

24 A. Right.

25 Q. -- take a cell phone, plug it into your computer, upload it

1 onto Cellebrite, you can be far more confident that nothing was
2 manipulated because you did it; right?

3 A. I can be confident that the process worked as I expected.

4 Q. You personally can say I did not manipulate anything?

5 A. That's correct.

6 Q. I plugged this iPhone in and I loaded it up; right?

7 A. Right.

8 Q. And I'm not saying that that's what's happening, Agent
9 Willock. I'm not accusing law enforcement of doing anything
10 untoward and I'm not accusing these prosecutors. I'm not
11 making those allegations. I'm asking you that you just can't
12 say you are dependent on what is sent to you; correct?

13 A. Absolutely.

14 Q. Okay. And you look at it and you take it at face value,
15 this is what was said by these PIN numbers on this date,
16 because that's what it says on the spreadsheet; right?

17 A. That's correct.

18 Q. That's all I'm asking. I appreciate that, and I wanted to
19 make that clear that I'm not accusing you or anyone of
20 anything.

21 A. Thank you.

22 Q. You gave me some examples of the veracity being tested in
23 other courts and other countries; right?

24 A. Yes.

25 Q. Okay. Are you aware of the Milch report, M-I-L-C-H?

1 A. I am not.

2 Q. Are you aware of anything, in any other court, that courts
3 have found that there are nonvalidated tools that may not
4 contain -- that may contain errors that could lead to incorrect
5 results? In other words, there's been findings of off-loading
6 these chats may be -- there may be unintended errors. Are you
7 aware of that generally?

8 A. I am aware that there can be errors, just not to the
9 severity of those errors.

10 Q. And you mentioned, for example, on direct examination that
11 there -- one thing that you've noticed, at least in your cases
12 or in your experience, is sometimes we'll get one-sided chats;
13 right?

14 A. That's correct.

15 Q. And the one-sided chat meaning that we're getting one
16 person speaking, but we're not getting the responses or the
17 conversation; right?

18 A. That's correct.

19 Q. Now, sometimes we'll get both sides of the chat. We'll
20 have an Excel spreadsheet that has -- I'm just going to use a
21 made up PIN. PIN 1234.

22 A. Right.

23 Q. And it says all of these things. And then you match it up
24 with PIN 678 --

25 A. Right.

1 Q. -- and their responses; right?

2 A. Yes, sir.

3 Q. Two separate files; right?

4 A. Yes.

5 Q. But what you're saying is sometimes we'll only end up with
6 PIN 1234 and not 678's responses; right?

7 A. For a host of reasons.

8 Q. Maybe in all legitimate and technological reasons, but that
9 does happen; right?

10 A. Yes.

11 Q. For the same reason that the technology may fail in giving
12 us one-sided chats, it may fail us in generating the actual
13 chats themselves; correct?

14 A. I don't understand the word "generating."

15 Q. I'll give you an example. One of the reasons that you
16 gave, and my objection was overruled, one of the reasons you
17 gave in that whole discussion was maybe there's an outdated
18 version being used on one cell phone and, therefore, for some
19 reason when it gets uploaded onto whatever software to decrypt
20 it, it just doesn't spit everything out both sides of the chat.
21 That was one possibility you gave. Do you remember that?

22 A. Yeah. So to explain that --

23 Q. Sure.

24 A. -- if -- you know, depending on what version you were on or
25 what actual private key you had, you know, the investigators

1 might not have had access to that key, or the tools that they
2 were employing weren't able to decrypt that message at that
3 time. You know, I think everything is relative. There's
4 certain messages that weren't decrypted two years ago that are
5 now decrypted.

6 Q. There's just a lot of technological reasons that may
7 happen; right?

8 A. That's correct.

9 Q. And you're not in a position. You're giving us
10 possibilities. So for obvious reasons that doesn't necessarily
11 mean anything was manipulated; right?

12 A. Right.

13 Q. But that there's a lot of technological failings that maybe
14 we don't understand or appreciate that could have led to that;
15 right?

16 A. That's fair to say, yes.

17 Q. For that same reason, you can't say with certainty that we
18 have all messages, can you?

19 A. Oh, we definitely do not have all messages.

20 Q. Right. So when we see a list of messages or we see
21 something, you know, in this trial of a Sky ECC message, it may
22 be missing the message before or after it, and we can't say for
23 certain. All we can do is rely on what was sent to us; right?

24 A. And focus on what we do have.

25 Q. Of course. But for the same reasons you spelled out that

1 one side of a chat might be missing, specific texts might be
2 missing; right?

3 A. Yes.

4 Q. In your cases that you've -- have you ever taken a case to
5 trial using Sky ECC messages?

6 A. No, sir.

7 Q. Are you preparing one? Is one going to -- do you know of
8 going to trial?

9 A. I know of at least two cases that could go to trial where
10 they would utilize Sky messages.

11 Q. In those cases --

12 A. Yes.

13 Q. -- would you have the ability as a special agent to get on
14 the phone and call the person that prepared the data for you
15 and say, hey, we're going to need you in trial on March 31st,
16 I'll give you your reservation details? Could you do that?

17 A. The person that would be preparing that data --

18 Q. They're contemporary in Europe. So I don't know what
19 country it was. Let's say the French you did an MLAT and
20 France, from France, says, hi, Agent Willock, I'm going to
21 prepare the stuff for you and send it by disk to you. That
22 person, could you get that person to come to trial if you
23 wanted to?

24 A. From my experience, it's difficult to get a foreign law
25 enforcement officer to appear in court here in the U.S.

1 Q. Because France, as my made-up person, could be the person
2 that testified that, yes, this is the data that I took off the
3 server myself, loaded on and sent to Agent Willock, couldn't
4 he?

5 A. If that person was able to be in a U.S. court, they could
6 speak to their methods and how they did what they accomplished.

7 MR. FINK: One moment, your Honor.

8 (Briefly off the record.)

9 BY MR. FINK:

10 Q. Agent Willock, are you aware of the processes by which
11 these messages were decrypted, what technology was used, how it
12 was done?

13 A. I'm -- in general terms, yes. Not in the specific
14 scientific details.

15 Q. Are you aware that in certain instances that artificial
16 intelligence was used to generate some of these messages?

17 A. I understand how artificial intelligence was used to search
18 the data, not create messages.

19 Q. In other words, given the volume of information, AI was
20 used for certain portions of this to sort through the data; is
21 that accurate?

22 A. That's my understanding, yes.

23 Q. And this goes hand in hand with the idea of the human hours
24 to sort through this are just too great; right?

25 A. As with a number of things, yes.

1 Q. Of course. Does the production of these messages and any
2 of the documents that are presented, at least in your case, I
3 know that you didn't receive the ones in this case, dependent
4 in any way, the content of them, on artificial intelligence?

5 THE COURT: Say that question again.

6 BY MR. FINK:

7 Q. The content of the messages you received in the Excel
8 spreadsheet format, in your experience, in your cases, I know
9 you can't speak to this one --

10 A. Right.

11 Q. -- are do you know -- and your answer might be I don't
12 know, but do you know if the content of those messages, what is
13 written, is in any way produced or relied upon artificial
14 intelligence to put them on that spreadsheet?

15 A. I'll answer it with I have not heard of artificial
16 intelligence being used. So I don't know, but I have also not
17 heard.

18 Q. You know of it being used in some capacity with data
19 sorting, but you haven't heard of it in the context of -- the
20 actual content of the messages; is that a fair
21 characterization?

22 A. Yeah. The way I heard artificial intelligence was used
23 from my colleagues involved in organizing the data was during
24 the live phase of the actual reading of the messages real-time
25 to search for certain terms and --

1 Q. Because of the quantity?

2 A. Yes.

3 Q. This circumstance that you're describing, the reason that
4 you're here to testify in this case, in your world, in the law
5 enforcement world, has major implications; correct? The
6 ability to specifically decrypt end-to-end encrypted messages;
7 right?

8 A. Those implications are significant, or major, as you
9 categorize them, because typically we would want to work with a
10 company like Sky Global and issue them proper legal process.

11 Q. Approximately 170,000 users are involved in Sky Global;
12 correct?

13 A. That was the number that we believed to have been over the
14 history of the company.

15 THE COURT: A hundred and how many?

16 MR. FINK: Seventy thousand users.

17 BY MR. FINK:

18 Q. Certainly there is not a United States search warrant for
19 all 170,000 users? Whether it's required or not I'm not
20 saying, but certainly there is not one for 170,000 people;
21 correct?

22 A. No.

23 Q. And you're aware of the litigation not only in the
24 international courts, but here -- there's a particular one in
25 New York involving a defendant boxer making challenges to the

1 privacy concerns of seizing the data of 170,000 people without
2 a warrant; correct?

3 A. I'm aware a lot people have concerns, yes.

4 Q. Are you one of them?

5 A. No.

6 MR. FINK: Thank you.

7 THE COURT: How is my jury over there? Are you okay?
8 You need a break? No? You're all right?

9 A JUROR: Yes.

10 THE COURT: Yes, you need a break, or no?

11 JURORS: (Collectively) Yes.

12 THE COURT: Let's take a break. The jury may step
13 down.

14 Please rise for the jury.

15 (The jury left the courtroom at 10:58 a.m.)

16 THE COURT: You may step down during the break, too.

17 THE WITNESS: Thank you, your Honor.

18 THE COURT: Ten minutes, gentlemen.

19 MR. FINK: Yes, your Honor.

20 MR. McDONALD: Thank you, your Honor.

21 THE COURT: All right. Let's break for ten minutes.

22 (At 10:58 a.m., a brief recess was taken.

23 Back on the record at 11:12 a.m.)

24 LAW CLERK: All rise. Court is back in session.

25 THE COURT: Okay. We can bring them out; right?

1 MR. FINK: Yes, Judge.

2 MR. McDONALD: Yes, your Honor.

3 THE COURT: Okay.

4 MR. FINK: Judge, can we stop them for one second?
5 I'll make an objection about their next witness so we don't
6 have to excuse them a second time, or I guess when we see the
7 door open we can say --

8 THE COURT: All right. Go ahead and be seated then.
9 Your objection about their witness, Philip Daskal?

10 MR. FINK: Yeah, the next witness, your Honor. Do you
11 want me to --

12 THE COURT: Are you making an objection to the person
13 appearing in court?

14 MR. FINK: I'm objecting to his testimony, yes.

15 THE COURT: No. Let's bring them out. I'll give them
16 another break.

17 MR. FINK: That's fine.

18 LAW CLERK: All rise.

19 (The jury entered the courtroom at 11:14 a.m.)

20 THE COURT: Okay. You may all be seated. I'm
21 satisfied the jurors are present. What about the Government?

22 MR. McDONALD: Yes, your Honor.

23 THE COURT: And defense?

24 MR. FINK: Yes, your Honor.

25 THE COURT: Okay. Very good.

1 You're still under oath, sir.

2 THE WITNESS: Yes, your Honor.

3 THE COURT: Okay.

4 MR. McDONALD: May I proceed with redirect?

5 THE COURT: Redirect.

6 MR. McDONALD: Thank you, your Honor.

7 REDIRECT EXAMINATION

8 BY MR. McDONALD:

9 Q. Agent Willock, Mr. Fink asked you about the timing of the
10 French investigation and your investigation in the Southern
11 District of California. Do you remember that?

12 A. Yes, sir.

13 Q. Did the European investigation start on the basis of your
14 investigation alone?

15 A. No, sir. It's my understanding they were already
16 investigating Sky Global prior to 2018.

17 Q. All right. Two separate investigations?

18 A. Yes, sir.

19 Q. Okay. Now, in your investigation, did you review the data
20 that was received from the French in your case?

21 A. Yes, sir.

22 Q. All right. And --

23 THE COURT: In his case in Los Angeles?

24 MR. McDONALD: In Los Angeles, yes.

25

1 BY MR. McDONALD:

2 Q. And from the content itself, did you observe any evidence
3 that attributed -- that showed user attribution? Do you know
4 what I mean when I say that?

5 A. User attribution whereas you could tell who the user was
6 based on --

7 Q. On the content of the messages.

8 A. That's correct. Yes, I could.

9 Q. All right. And what kind of evidence gave you that user
10 attribution in your case in LA?

11 THE COURT: Say that again.

12 BY MR. McDONALD:

13 Q. What kind of evidence provided the user attribution in the
14 Sky messages in your case in LA?

15 A. The individual would say their proper name, their nickname
16 or full name, in a message. They would send a photograph of
17 themselves. They would use other what we call personally
18 identifiable information.

19 Q. All right. Now, in terms of this -- well, let me back up
20 here. Mr. Fink asked you a long list of things that encrypted
21 data could be used for like businesses or pharmaceutical
22 companies or military. Do you remember him asking you that?

23 A. Yes, sir.

24 Q. In your experience, is that what Sky was used for?

25 A. I did not observe Sky to be used in that manner.

1 Q. What did you observe Sky to be used for?

2 A. Well, at the beginning I saw it used to facilitate the
3 distribution of devices by employees of the company.

4 THE COURT: Distribution of devices, like what?

5 THE WITNESS: Like the actual phones containing the
6 encrypted application, Sky ECC, to interact with their clients
7 and to increase sales of those devices in the subscription
8 service. I saw it used by members of transnational organized
9 criminal groups to facilitate money laundering and narcotics
10 trafficking. And I also saw it used by other organized crime
11 figures engaged in other criminal activities in the U.S. and
12 abroad.

13 BY MR. McDONALD:

14 Q. I want to talk specifically about the United States'
15 involvement and the searches conducted in France; okay?

16 A. Yes, sir.

17 Q. Did the U.S. author any affidavit to search OVH, the French
18 cloud server facility?

19 A. No, sir.

20 Q. Did the U.S. attend the search of OVH?

21 A. No, sir.

22 Q. Would you describe the searches in France as a foreign
23 operation conducted on foreign soil?

24 A. Yes, I would.

25 Q. Finally, the messages that you do have in your case in LA

1 and any messages that you have reviewed that have been
2 decrypted, did you find any evidence that those messages were
3 manipulated?

4 A. I did not.

5 Q. Did you find any evidence that those messages were
6 inaccurate?

7 A. No, sir.

8 MR. McDONALD: No other questions. Thank you.

9 THE COURT: Do you have other questions?

10 MR. FINK: I do not, your Honor.

11 THE COURT: Okay. I have a couple. And, you know, I
12 think I told you all that when Mr. Didani was representing
13 himself that if I ask a question and you had an objection to it
14 you should raise it, because if you don't it's waived to the
15 Court of Appeals.

16 You all understand that? Mr. Fink, you understand
17 that? I think the Government knows it.

18 MR. FINK: I have great faith in your questions,
19 Judge.

20 THE COURT: I'm happy for your faith, but I just want
21 you to know that if you don't object your objection is waived.

22 MR. FINK: I understand it, Judge.

23 THE COURT: And the Government understands that;
24 right?

25 MR. McDONALD: I also understand that, Judge.

1 THE COURT: My questions are not as high tech as the
2 questions that have been raised by these attorneys.

3 EXAMINATION

4 BY THE COURT:

5 Q. I want -- you testified that the U.S. government took down
6 the Sky website. What did that mean for users?

7 A. So, your Honor, the Sky Global, Sky ECC website was hosted
8 by the web hosting company, GoDaddy.

9 Q. Okay.

10 A. And we issued a warrant to take ownership of that website
11 from GoDaddy, we being the investigative team in the U.S., DEA,
12 FBI, IRS. And then we changed the web page to reflect that we
13 now owned that website.

14 Q. To reflect that those government agencies now controlled
15 that website?

16 A. That's correct.

17 Q. Okay. And so does that mean that people who were users
18 could no longer use the Sky application? I'm not sure if
19 that's the right word, but --

20 A. Yeah. So it was twofold; one to notify why their service
21 wasn't working. The website did not interact with the
22 communication servers.

23 Q. Okay.

24 A. So on the particular day that, you know, to use a very
25 conversational term that the servers were unplugged, the

1 service ceased to work.

2 Q. So if I had a phone with that application on it -- is that
3 the right word?

4 A. Yes.

5 Q. And the day that the servers went down, if I tried to use
6 that application, it just didn't work?

7 A. It did not work.

8 Q. And then you said that I think you notified people that
9 they could call in and say I have a problem?

10 A. Your Honor, can I clarify one thing?

11 Q. I think you were talking about that there was a notice to
12 users about Sky ECC.

13 A. Yes. Can I go back and clarify one thing about the
14 application not working anymore?

15 Q. Okay.

16 A. We learned or observed that some devices, some users, I
17 think we shut -- I think the operation happened on March 7th,
18 March 8th, because of the time difference with Europe when the
19 activities happened, that the company in Vancouver still had
20 some backup type server.

21 Q. The company in Vancouver?

22 A. Sky Global, yes.

23 Q. Okay.

24 A. And some devices did function for a day or so after. They
25 kind of went into an emergency management to try to keep their

1 network going. So there was some user activity for a day or so
2 following our day of action, or the Europeans' day of action
3 against the servers. But then once we made this announcement
4 and took control of the website, obviously most users didn't
5 want to use their phone anymore. So I just wanted to clarify
6 that. Yeah.

7 Q. Do they have things on their phone that weren't destroyed?

8 A. Yes.

9 Q. Would they download them? If I had something on my phone
10 that was encrypted, could I send it to another phone or to my
11 you know iPad or computer?

12 A. No, because the data on that device is all held within the
13 app, right, the Sky ECC app, the Sky phone that has that app.
14 And the only way to extract that data, right, would be through,
15 you know, some, you know, high-level system, which a user could
16 have --

17 Q. Whichever data I had on there was lost to me, the user?

18 A. For all intents and purposes, it was. But, you know, there
19 could be an instance where you would be able to pull that data,
20 just how law enforcement has certain tools. A very
21 sophisticated user could try to pull data off of their phone.

22 Q. All right. You can see that I'm not a very sophisticated
23 user, so ...

24 Okay. And I -- oh. And then you said you had a
25 notice that you put up to users and no one responded?

1 A. That's correct.

2 Q. And does it mean -- does no one mean nobody responded at
3 all of the -- what were there, 170,000 users?

4 A. That was during the lifespan of the network was that many
5 accounts that we observed, but at the time there were over
6 20,000, probably even closer to 30,000 users on the network.

7 Q. Okay. And among those nobody responded?

8 A. That is correct.

9 THE COURT: All right. I think that's all I have.
10 Anything else based on me asking those very simple
11 questions? And now everyone knows how low tech I am.

12 MR. McDONALD: Nothing from the Government. Thank
13 you.

14 THE COURT: Okay.

15 MR. FINK: No, your Honor.

16 THE COURT: All right. Thank you for coming. We
17 appreciate it. You may step down, and you're excused, I think.

18 THE WITNESS: Thank you, your Honor.

19 THE COURT: All right. Right, he's excused?

20 MR. McDONALD: I have no objection.

21 THE COURT: Okay.

22 MR. FINK: Yes, he's excused. Thank you.

23 (End of excerpt at 11:25 a.m.)

24 - - -

25

1 (Beginning of excerpt.)

2 MR. BILKOVIC: The Government would call Philip
3 Daskal.

4 THE COURT: Right up here by the court reporter to be
5 sworn in, okay. There is good. Raise your right hand.

6 (Oath administered.)

7 THE COURT: All right. You may be seated. When
8 you're seated, state your full name and spell your last name
9 for the record.

10 THE WITNESS: My name is Philip Jacob Daskal. My last
11 name is spelled D-A-S-K-A-L.

12 THE COURT: Thank you.

13 MR. BILKOVIC: May I continue, your Honor?

14 THE COURT: You may.

15 * * *

16 PHILIP DASKAL,
17 was called as a witness, after having been
18 duly sworn to testify to the truth.

19 * * *

20 DIRECT EXAMINATION

21 BY MR. BILKOVIC:

22 Q. Sir, where do you live?

23 A. I live in southern Florida at the moment in Hollywood.

24 Q. How long have you lived in Florida?

25 A. About four years.

1 Q. Where did you live prior to Florida?

2 A. Toronto, Canada.

3 Q. Thus the accent?

4 A. Thus the accent. Toronto, Canada.

5 THE COURT: I just didn't hear it. You lived in
6 where?

7 THE WITNESS: Toronto, Canada.

8 BY MR. BILKOVIC:

9 Q. Toronto, Canada?

10 A. Yeah.

11 Q. And how long did you live in Canada prior to moving to
12 Florida?

13 A. I was born in Canada. So just under 40 years in Canada.

14 THE COURT: You lived less than four years in Canada
15 or you lived your whole life there?

16 THE WITNESS: I lived my whole life in Canada.

17 THE COURT: Except for the past four years?

18 THE WITNESS: Except for the past four years, correct.

19 THE COURT: Go ahead, Counsel.

20 BY MR. BILKOVIC:

21 Q. And how are you employed?

22 A. I'm hired by a company named INKAS Armored Vehicle
23 Manufacturing. I sell armored vehicles globally.

24 Q. Does INKAS have an office in Florida?

25 A. We do.

1 Q. Is that why you live down in Florida?

2 A. Yes.

3 Q. Did you work for INKAS prior to moving to Florida?

4 A. I did.

5 Q. How long did you work -- when did you start working for
6 INKAS?

7 A. I started working for INKAS in 2007.

8 Q. And what are your duties at INKAS? What do you do?

9 A. I oversee sales, in charge of the sales department. I set
10 forecasts. I travel the world to sell vehicles.

11 Q. And what type of vehicles does INKAS sell?

12 A. We have many different platforms. Specifically SUVs,
13 sedans, more on the luxury side. We also build vehicles for
14 the banks, cash and transit. We provide law enforcement
15 vehicles for law enforcement agencies.

16 Q. And approximately how many employees are there at INKAS?

17 A. I would say with our contract we're about 150.

18 Q. And do you know who owns INKAS?

19 A. Yes.

20 Q. Is it a family-owned business?

21 A. It is.

22 Q. Are you part of that family?

23 A. I am.

24 Q. And obviously the title itself is probably
25 self-explanatory, but what does INKAS do with vehicles?

1 A. So we -- INKAS is the largest manufacturer in North
2 America. What we'll do is we'll bring a vehicle into our
3 factory, completely take it apart, have our welders build all
4 the ballistic protection, more or less like a capsule, and then
5 put it back together again like it looks like it just came out
6 of a dealership.

7 Q. And approximately how long does it take to do this, go
8 through this process?

9 A. Depends on the vehicle. Majority of the time we keep all
10 material in stock. So you would be looking at about six to
11 eight months -- six to eight-week turnaround time on average.

12 Q. And how does INKAS -- is there a way that INKAS accepts
13 payments?

14 A. Through electronic wire, bank wires.

15 THE COURT: Only?

16 THE WITNESS: Yes. We have received checks from
17 government law enforcement agencies as well, so ...

18 BY MR. BILKOVIC:

19 Q. Now, you're talking about now?

20 A. Now, yeah.

21 Q. Four or five years ago, were there other payment methods
22 that INKAS accepted?

23 A. No.

24 Q. If I wanted to purchase a vehicle through INKAS, what is
25 the process?

1 A. You would call our office, speak to a salesman. The
2 salesman would understand what type of threat you're, you know,
3 trying to avoid, trying to protect yourself against. Majority
4 of the time we would let you know what we have currently
5 available in stock if it's a vehicle of your liking. If it's
6 not a vehicle of your liking, then we can always just -- you
7 know, once a contract is signed and due diligence is made on
8 the customer, we move forward with purchasing a vehicle and
9 setting up the armory there.

10 Q. I'm sorry. What is it?

11 A. We purchase the vehicle, bring it into our factory, and
12 we'll do the retrofitting from the beginning to the end there.

13 Q. And back in 2020, did INKAS have a website?

14 A. We did.

15 Q. And you said sometimes you have vehicles in stock. Would
16 you advertise certain vehicles on the website?

17 A. On the website we wouldn't necessarily have what we have in
18 inventory. The whole idea about our website is to have clients
19 give us a call to speak to a human being on the other side.

20 Q. While working at INKAS back in 2020, were you contacted by
21 an individual who identified himself as Louie Didani?

22 A. I was, yes.

23 Q. Did you ever have face-to-face contact with him, not
24 necessarily in person, but did you ever have face-to-face
25 contact with the individual?

1 A. A few times on FaceTime or WhatsApp video message.

2 Q. And do you see that individual in court today?

3 A. I do.

4 Q. Can you please point to him and tell the jury what article
5 of clothing he's wearing?

6 A. Yes. According to my memory, it's the gentleman sitting on
7 the left there with the black blazer.

8 MR. BILKOVIC: Let the record reflect the
9 identification of the defendant, Ylli Didani.

10 THE COURT: So noted and preserved for the record.

11 BY MR. BILKOVIC:

12 Q. Now, I want to take your attention to March of 2020. Did
13 you have contact with Mr. Didani at that time?

14 A. I did.

15 Q. Where were you working at the time?

16 A. I was working at INKAS.

17 Q. Where at? Which office?

18 A. The Toronto office.

19 Q. And how was it that you had the initial contact with him?

20 A. It was a weekend call. I had all the -- our main customer
21 lines forwarded over to my cell phone so that we don't miss any
22 calls. And Mr. Didani called me on it was a Sunday, I believe,
23 Sunday afternoon.

24 Q. And did you have a conversation with him?

25 A. I did.

1 Q. Was it a long conversation or a short conversation?

2 A. It was relatively short. Mr. Didani asked if I use
3 WhatsApp, and I said yes. After a couple, you know, comments
4 we right away switched over to WhatsApp.

5 Q. So did you provide him your WhatsApp number?

6 A. I did.

7 Q. And did he provide you his WhatsApp number?

8 A. He called me from it.

9 Q. I'm sorry?

10 A. He called me from his number.

11 Q. So would that have given you his number then, too?

12 A. Correct, yes.

13 Q. And so did the two of you then begin communicating over
14 WhatsApp?

15 A. Yes.

16 Q. And during these communications did Mr. Didani advise you
17 as to why he was contacting you?

18 A. Yes.

19 Q. What was the general nature of why he was contacting you?

20 A. Mr. Didani said that he'd like to replenish his fleet of
21 existing vehicles; he lives in an area where violence is at an
22 all-time high, and was looking for newer vehicles for
23 protection.

24 Q. And over the course of the next year, from March of 2020 to
25 March of 2021, did you end up selling Mr. Didani any armored

1 vehicles?

2 A. I did.

3 Q. Approximately how many?

4 A. I sold to Mr. Didani I want to say five vehicles.

5 Q. And we'll go through those a little later. You said that
6 you would communicate with him on WhatsApp?

7 A. Yes.

8 Q. Again, what is WhatsApp?

9 A. WhatsApp is just a -- it's an application that you can get
10 on any cell phone. It gives you basically free long distance
11 around the world. You're able to transfer photos, files,
12 contracts through this platform. It's a very user-friendly
13 platform.

14 Q. You said it's free long distance. Do you pay for WhatsApp?

15 A. No, you don't. It's a free application.

16 Q. Something like \$1,500 for six months?

17 A. No.

18 Q. Nothing like that?

19 A. No.

20 Q. And through WhatsApp what are you allowed to do? Basically
21 how are you allowed to communicate, in what specific forums?

22 A. Same way like you would communicate on a regular phone in
23 the sense that -- I mean, the numbers are still the same
24 numbers, your text messages, you're able to text, you're able
25 to send out photos, send out videos to friends or clients, you

1 can create groups of friends together, that can kind of have an
2 open chat amongst your friends.

3 Q. What about voice messages?

4 A. Voice messages, yes, absolutely.

5 Q. Is there a function on WhatsApp where you can do video
6 calls and see the person face-to-face?

7 A. Yes, there is.

8 Q. Did you ever do that with Mr. Didani?

9 A. I did.

10 Q. Did you ever talk to him over the phone?

11 A. Yes.

12 Q. Did you ever communicate via text?

13 A. Yes.

14 Q. Did you ever send videos to Mr. Didani and receive videos
15 back from Mr. Didani?

16 A. Yes.

17 Q. Did you ever send photographs to Mr. Didani and receive
18 photographs back?

19 A. Yes.

20 Q. And when you communicated with Mr. Didani did you have one
21 number or did you use multiple numbers?

22 A. I had two numbers of Mr. Didani.

23 Q. For you. I'm talking about for you.

24 A. Oh, for me? It's always been the same phone number.

25 Q. Is that a number you still have?

1 A. Yes.

2 Q. What is that?

3 A. (416) 904-9243.

4 Q. When you communicated with Mr. Didani, do you know whether
5 he used one number, more than one number?

6 A. He had called me from two different numbers.

7 Q. And would you communicate with him via chat with both of
8 these numbers?

9 A. Yes.

10 MR. BILKOVIC: Your Honor, may I approach just to hand
11 the witness the exhibit book?

12 THE COURT: You may.

13 BY MR. BILKOVIC:

14 Q. Now, Mr. Daskal, you said that you for a period of time
15 were engaged in chats with Mr. Didani; correct?

16 A. Yes.

17 Q. And have you had an opportunity prior to testifying today
18 to review those chats?

19 A. Yes.

20 Q. Can you look at Government's proposed Exhibit 73.0, the
21 very first page. And what I'm going to ask you to do is,
22 whatever you do, do not open the binder, because I did it the
23 other day and the stuff went flying. So keep it closed if you
24 could.

25 A. Sure.

1 Q. If you could go to 73.0 and tell me if you recognize that?

2 THE COURT: How is he going to do that without
3 opening --

4 THE WITNESS: Yeah, I didn't --

5 MR. BILKOVIC: No. He can flip the pages. What I
6 meant is -- I did this the other day.

7 THE COURT: Don't open the ring?

8 MR. BILKOVIC: Don't open the ring, yes.

9 THE WITNESS: I was a little confused as well.

10 BY MR. BILKOVIC:

11 Q. I'm sorry.

12 A. All right, 73.0 you said.

13 Q. Yes. Do you recognize that?

14 A. I do.

15 Q. And what is that?

16 A. It's a chat.

17 Q. Is that one of the chats that you and Mr. Didani engaged in
18 in WhatsApp?

19 A. Yes.

20 Q. And is your number in there in that chat, the
21 (416) 904-9343 number?

22 A. 9243, yes.

23 Q. 9243. And is there a number in there for Mr. Didani?

24 A. There is.

25 Q. And what was that number?

1 A. 1 (708) 400-1315.

2 Q. Now, is this the whole chat or is this excerpts of the
3 whole chat?

4 A. It's excerpts of the whole chat.

5 Q. Part of it?

6 A. Part of it, yeah.

7 Q. And you reviewed this?

8 A. I have.

9 Q. And does it appear to be accurate to you?

10 A. Yes.

11 MR. BILKOVIC: Your Honor, at this time I would move
12 for admission into evidence of Government's proposed Exhibit
13 73.0.

14 THE COURT: Okay. Does it have a number of pages?

15 MR. BILKOVIC: It does. The exhibit number --

16 THE COURT: How many is that?

17 MR. BILKOVIC: It is 130 pages. I'm not going to go
18 through all 130 pages.

19 THE COURT: I just wanted to know how many.

20 Okay. Any objection?

21 MR. FINK: Same objection previously about its
22 relevance and foundation and hearsay that you've ruled on with
23 previous chats and the foundation for co-conspirators.

24 THE COURT: Okay. The same response relative to that
25 I've already ruled unless, Mr. Bilkovic, you have something new

1 to argue about it.

2 MR. BILKOVIC: No, your Honor.

3 THE COURT: Okay. Very well. Overruled.

4 MR. FINK: Thank you, your Honor.

5 THE COURT: And it's admitted as 73.0.

6 (Government's Exhibit 73.0 received into evidence.)

7 MR. BILKOVIC: Thank you.

8 BY MR. BILKOVIC:

9 Q. And in this chat are there basically photos and videos and
10 PDF contracts and things of that nature?

11 A. Yes, there are.

12 Q. And you've had an opportunity to review the enlarged
13 versions of those prior to testifying today?

14 A. Yes.

15 Q. I know you've never -- have you ever testified before?

16 A. Never.

17 Q. Okay. So I talk fast, and I know a lot of times like
18 you'll think you know what I'm going ask you and so you start
19 answering. If you could wait until I finish, just so the court
20 reporter can take everything down. When both of us are
21 talking, it's kind of hard for her.

22 A. Absolutely, yes.

23 Q. Thank you.

24 THE COURT: You may proceed.

25 MR. BILKOVIC: Thank you.

1 BY MR. BILKOVIC:

2 Q. Can you look at Page 1 of that chat, 73.0, and in message
3 1, the very first message, do you see a date in that message
4 under the timestamp?

5 A. Yes.

6 MR. BILKOVIC: And you don't have to bring this up
7 yet. I'm sorry.

8 BY MR. BILKOVIC:

9 Q. What is the date? When did this chat start?

10 A. March 22, 2020.

11 Q. And, if you could go to the very last page, Page 130 of
12 Exhibit 73 and look at the very last message number, 2566, and
13 if you could indicate what date that message was?

14 A. Sure. That was October 22, 2020.

15 Q. Now, if you could turn to Government's proposed Exhibit
16 74.0. Tell me if you recognize that?

17 A. I'm sorry. I'm having difficulty finding what you're --

18 THE COURT: Come up and help your witness find the
19 document.

20 MR. BILKOVIC: I have another copy just in case.

21 THE WITNESS: Thank you.

22 BY MR. BILKOVIC:

23 Q. Do you see it?

24 A. I do.

25 Q. And do you recognize Government's proposed Exhibit 74?

1 A. Yes, I do.

2 Q. And what is that?

3 A. It's also a chat.

4 Q. And who is the chat between?

5 A. Mr. Didani and myself.

6 Q. Can you move the microphone closer to you?

7 A. Mr. Didani and myself.

8 Q. And in that chat are you using the same number from the
9 previous chat?

10 A. Yes, I am.

11 Q. And does Mr. Didani -- is he using a different number or
12 the same number as the previous chat in Government's Exhibit
13 73?

14 A. He's using a different number.

15 Q. And can you read that number into the record?

16 A. It's 971554159856.

17 Q. And prior to testifying today have you had an opportunity
18 to review this chat as well?

19 A. Yes, I have.

20 Q. And is it fair to say that again this is an excerpt, this
21 is not the entire chat, but a portion of the chat?

22 A. Yes.

23 Q. And how many pages is it?

24 A. This chat has 438 pages.

25 Q. Okay. The whole chat. I'm talking about the excerpt

1 itself.

2 A. Correct.

3 Q. Exhibit 74. Do you see a page amount on the bottom next to
4 the "74" on the very last page?

5 A. Yes.

6 Q. And how many page numbers are there after the 74?

7 A. 34.

8 THE COURT: Not 438?

9 MR. BILKOVIC: No.

10 THE COURT: Okay. Is that what you have, too,
11 Mr. Fink, 34 pages?

12 MR. FINK: On 74?

13 THE COURT: Yes.

14 MR. FINK: Yes.

15 THE COURT: Okay. Are you offering it?

16 MR. BILKOVIC: I am offering that into evidence at
17 this time as Government's proposed Exhibit 74.0.

18 THE COURT: You have the same objection?

19 MR. FINK: Yes, your Honor.

20 THE COURT: And the same response?

21 MR. BILKOVIC: Yes, your Honor.

22 THE COURT: Okay. And it's overruled and noted and
23 preserved for the record.

24 MR. FINK: Thank you.

25 THE COURT: And admitted as 74.

1 (Government's Exhibit 74 received into evidence.)

2 MR. BILKOVIC: Thank you, your Honor.

3 BY MR. BILKOVIC:

4 Q. Can you look at Page 1 of 74.0 and the first message
5 number, and tell the jury what the date is of that message?

6 A. Yes. The date is November the 8th, 2020.

7 Q. And, if you could go to the very last page, Page 44, and
8 look at message number 1254, and tell the jury what the date of
9 that last message is in this excerpt?

10 A. Yes. The date is March 17, 2021.

11 Q. So is it fair to say that you communicated with Mr. Didani
12 for approximately a year?

13 A. Yes.

14 Q. During your communications with Mr. Didani, did he identify
15 himself? Did he tell you who he was?

16 A. He referred to his first name as Lou, last name Didani.

17 MR. BILKOVIC: Can we bring up message number 4 on
18 Page 73.0-2.

19 THE COURT: Tell me that, please, again.

20 MR. BILKOVIC: I'm sorry. It's Exhibit 73-2.

21 May I proceed, your Honor?

22 THE COURT: Yes.

23 BY MR. BILKOVIC:

24 Q. So you're looking at message 4 here. I'm going to ask you
25 a couple questions about it, but it will pertain to further

1 messages. Do you see the -- on the far right-hand side where
2 it indicates "outgoing"?

3 A. Yes.

4 Q. Do you see that?

5 A. Yes.

6 Q. Now, is that Mr. Didani then sending this message to you?

7 A. Yes.

8 Q. So, if there's an incoming, that would be a message that
9 you're sending to him?

10 A. Correct.

11 Q. And in this message, message number 4, on March 22, 2020,
12 what does Mr. Didani text you? What's the body of message?

13 A. Mr. Didani texts, "My name is Lou Didani."

14 Q. Can we go to the next message, message 5 on the same page.
15 And is this your response?

16 A. Yes, it is.

17 Q. And how do you respond?

18 A. "Hi Lou. I'm Philip."

19 Q. And if we can go to the next Page, Exhibit 73.0-3. And if
20 we can go to message number 10. And this is another incoming
21 message; correct?

22 A. Correct.

23 Q. Now, these are all in the same day where we're talking
24 March 22nd; correct?

25 A. Yes.

1 Q. Did the two of you -- did you exchange text messages for a
2 while on March 22nd?

3 A. We did.

4 Q. And your message here to Mr. Didani, what did you text him?

5 A. "So how can we help you" -- "How can we help?"

6 Q. Can we go to message 11 on the same page. And how did he
7 respond?

8 A. "Philip, I was interested on your product."

9 Q. Can we go to the next page, Page 4, message 12. And is
10 this again an outgoing message to you from Mr. Didani?

11 A. Yes, it is.

12 Q. And if you could read the body of the message.

13 A. "I need your help on some infos."

14 Q. Infos?

15 A. It's hard for me to see that. I apologize. "Infos," yes.

16 Q. Can we go down to the bottom of the page. Go to message
17 14. And again, this is an outgoing message from Mr. Didani on
18 the same date?

19 A. Yes, it is.

20 Q. And what is the body of the message?

21 A. "But please need this infos to stay confidential."

22 Q. You said the word "please." Is there an abbreviation
23 there?

24 A. Yeah. It's P-L-S.

25 Q. Did you take that to mean "please"?

1 A. Yes, I did.

2 Q. If we could go to Page 5 of the same exhibit and start at
3 message 16. And is this still Mr. Didani to you?

4 A. It is.

5 Q. And can you read the body?

6 A. "I need few cars to Republica Dominicana."

7 Q. And if we can go to the next message number on the same
8 page, message 17. And is that again an outgoing message to you
9 from Mr. Didani?

10 A. Yes, it is.

11 Q. And what is the body of the message?

12 A. "And Ecuador if it is possible."

13 Q. And go to the next page, Page 6, and starting at the top,
14 message 18. And again, is this an outgoing message on the same
15 day?

16 A. Yes, it is.

17 Q. And the body of the message from Mr. Didani?

18 A. "I was looking on your website about G Class AMG."

19 Q. Do you know what a G Class AMG is?

20 A. I do. It's a Mercedes Benz G63.

21 Q. It's an SUV?

22 A. Yes, sir.

23 Q. And can we go to the next message, message 19 on the same
24 page. Is that another outgoing message from Mr. Didani?

25 A. Yes.

1 Q. And what's the body of the message?

2 A. "2020 Lexus."

3 Q. Can we go to the next page, Page 7 of the same exhibit,
4 Exhibit 73 and go to message 34.

5 THE COURT: Message number what?

6 MR. BILKOVIC: 34.

7 BY MR. BILKOVIC:

8 Q. And is this an outgoing message?

9 A. It is.

10 Q. What is the body of the message?

11 A. "And how long it will take to build."

12 Q. And did you respond to Mr. Didani?

13 I'm sorry. We'll put up the next message and you just
14 tell us what it is. Do you see the next message --

15 A. Yes.

16 Q. Hold on. Message 35?

17 A. I do.

18 Q. And did you respond to the previous message from
19 Mr. Didani?

20 A. Yes.

21 Q. And how did you respond?

22 A. "Four months."

23 Q. Now, does it take that long normally?

24 A. Normally it doesn't. Again, a vehicle like a Mercedes-Benz
25 G63 or Lexus SUV we keep the material in stock. So it usually

1 takes, like I said, about six to eight weeks to produce.

2 However, there's a time -- there's the delay in trying to
3 source the vehicle in the beginning. The vehicle can take up
4 to two months to source prior to delivery to the factory.

5 Q. And did the two of you continue communications on that day?

6 A. Yes.

7 Q. I'm sorry?

8 A. I'm sorry. If I can go to the page and I'll tell you here.

9 Yes, we did.

10 Q. I'm sorry?

11 A. We did.

12 Q. Okay. Could you pull the microphone? Just move it a over
13 a little bit. When you look down or turn your head, it doesn't
14 pick you up. There you go.

15 Can we go to the same exhibit, 73.0, Page 8, and could
16 we go to message 38. Is that an outgoing message from
17 Mr. Didani on the same day, March 22, 2020?

18 You can look up here. I've got it up on the board
19 now.

20 A. Yes, it is.

21 Q. And what was the message he sent you?

22 A. "I like to buy for the moment the Lexus you have."

23 Q. And if we could go to the next message on the same page,
24 message 39. And again, that's an outgoing message to you?

25 A. Yes.

1 Q. And what is the body?

2 A. "Order MB G63."

3 Q. And what is an MB G63?

4 A. A Mercedes-Benz G63, an SUV.

5 Q. Can we go to the next page, Page 9 of Exhibit 73.0. Go to
6 the top message 40. And is that another outgoing message from
7 Mr. Didani on the same day?

8 A. Yes, it is.

9 Q. And what is it that he sent you there?

10 A. "I need two more cars for Ecuador, but not this flashy."

11 Q. Did Mr. Didani send you voice messages with respect to the
12 type of cars that he was looking for?

13 A. Yes, he did.

14 Q. And did you listen to those voice messages prior to coming
15 to court today?

16 A. I did.

17 MR. BILKOVIC: Your Honor, at this time I would move
18 for admission into evidence of Government's proposed Exhibit
19 73.2, which is a voice message contained on Page 11 of this
20 chat, message number 47.

21 THE COURT: Okay. Any objections? Same objection?

22 MR. FINK: Yes, your Honor. And subject to your prior
23 ruling. Obviously, I trust Mr. Bilkovic. I don't know the
24 numbers on -- tailoring it to your prior ruling.

25 MR. BILKOVIC: Your Honor, may I pause --

1 THE COURT: Okay. This is 73.2? Is that what you
2 said?

3 MR. BILKOVIC: Yes, your Honor.

4 THE COURT: It's so noted for the record, and it's
5 overruled, and you may --

6 Do you wish to play it?

7 MR. BILKOVIC: Yes, but I want to go off for one
8 second.

9 (Briefly off the record.)

10 MR. BILKOVIC: Your Honor, I just want to check
11 something based on the Court's ruling.

12 MR. FINK: What was the number, your Honor?

13 THE COURT: 73.2. It's a voice message.

14 Is it number 45? Is that what you told me,
15 Mr. Bilkovic?

16 MR. BILKOVIC: Yes.

17 THE COURT: Okay. 45; is that right?

18 MR. BILKOVIC: Your Honor, the exhibit is 73.2. It's
19 message 47.

20 THE COURT: I'm sorry. Message 47, Mr. Fink.

21 MR. BILKOVIC: Your Honor, Mr. Fink and I looked at
22 it. It complies with the Court's ruling. So if I could play
23 it at this time.

24 THE COURT: You may.

25 (Video played.)

1 BY MR. BILKOVIC:

2 Q. And did Mr. Didani in these chats, did he supply you with
3 his E-mail address?

4 A. He did.

5 MR. BILKOVIC: Can we bring up Government's Exhibit
6 73.0, Page 12, message 50.

7 BY MR. BILKOVIC:

8 Q. And again, are we still on March 22, 2020?

9 A. We are, yes.

10 Q. And what is the body of the message from Mr. Didani to you?

11 A. "Lou Didani, E-mail address MIFreight@yahoo.com."

12 Q. And again, you said address. Is there an abbreviation
13 there?

14 A. Yes.

15 Q. And what is the abbreviation?

16 A. It says A-D-R, believe, from my vision here.

17 Q. And you took that to be an address?

18 A. I took that, yes.

19 Q. I'm sorry?

20 A. Yes, I did. I took that as an address.

21 Q. During your chats with Mr. Didani, did he ever bring up the
22 use of what is called a Sky phone?

23 A. Yes.

24 Q. If we could turn to Government's Exhibit 73.0, Page 44,
25 starting with message 538. And what is the date of this

1 message?

2 A. The date is April 20, 2020.

3 Q. And again, is this -- so you and Mr. Didani by this point
4 you've been communicating for about a month?

5 A. We have.

6 Q. Did you have voice contact during that time? Did you talk
7 to each other during that month?

8 A. Yes.

9 Q. And during that month did you send Mr. Didani contracts for
10 any of the vehicles?

11 A. Yes, I did.

12 Q. The message that he sent you in message 538, what is the
13 body of the message?

14 A. "You ever hear about Sky phones."

15 Q. If we could go to the next message on the same page,
16 message 539. Now, here we've got a different date; correct?

17 A. We do.

18 Q. What is the date here?

19 A. This is April 21, 2020.

20 Q. So this is the next day from what was the previous message;
21 correct?

22 A. Correct.

23 Q. And is this an incoming message that you sent?

24 A. Yes, it is.

25 Q. And what is the body?

1 A. "Hi, good morning."

2 Q. Can you go to the next message, 540, message number 540 on
3 the same page. And is this an incoming message from you?

4 A. Yes, it is.

5 Q. And what is it that you send?

6 A. "What is a Sky phone?"

7 Q. And can we go to the next message on the same page, message
8 number 541. How does Mr. Didani respond?

9 A. Mr. Didani responds, "Hi, bro. Good morning."

10 Q. And can we go to the next page, Page 45 of Exhibit 73.0.
11 If we could go to the top message, which would be message 542.
12 Did Mr. Didani send you a photograph?

13 A. Yes, he did.

14 Q. And have you had an opportunity to view a larger version of
15 that photograph?

16 A. Yes, I have.

17 Q. Can you look at Government's proposed Exhibit 73.17. Can
18 you tell me if you recognize that?

19 A. Yes, I do.

20 Q. And what is that?

21 A. It's a picture of a phone, someone holding the phone that
22 shows the Sky app.

23 Q. And this is the -- is this a photograph that Mr. Didani
24 sent you?

25 A. Yes, it is.

1 MR. BILKOVIC: Your Honor, I would move for admission
2 into evidence of Government's proposed Exhibit 73.2.

3 THE COURT: Any objection?

4 MR. FINK: No objection, your Honor.

5 THE COURT: Very well. It's admitted.

6 MR. BILKOVIC: Not 73.2. That was the previous one.
7 I would move for the admission of 73.17.

8 THE COURT: Any objection to that one, Mr. Fink?

9 MR. FINK: No, your Honor.

10 THE COURT: Very well. It's admitted.

11 (Government's Exhibit 73.17 received into evidence.)

12 MR. BILKOVIC: May I publish it to the jury?

13 THE COURT: You may.

14 BY MR. BILKOVIC:

15 Q. And what is it that we're looking at here?

16 A. It's a photograph of somebody holding another phone with
17 the Sky app showing.

18 Q. Had you ever seen anything like that before?

19 A. I've never.

20 Q. When he sent this to you, did you know what it was?

21 A. I didn't.

22 Q. Can we go to the next message on the same page, message
23 543. After Mr. Didani sends you that photograph, does he
24 follow it up with a text message?

25 A. Yes, he does.

1 Q. And what is the body of the text message?

2 A. "Very secure phone."

3 Q. Can we go to the next page, Page 46. Can we go to the
4 bottom text message, message 548. And is that a message from
5 you on the same day, April 21st?

6 A. Yes, it is.

7 Q. And what is the body of the message?

8 A. "Never heard about it."

9 Q. Can we go to the next page, 73.0, Page 47, message 549 at
10 the top. And again, are we on the same day, April 21st of
11 2020?

12 A. Yes, we are.

13 Q. And does Mr. Didani respond or send you a text message?

14 A. Yes, he does.

15 Q. And what is the body of the text message?

16 A. "Yes. All of us all over the world use this."

17 Q. Do you recall any other photographs that Mr. Didani sent
18 you that had a Sky phone in them?

19 A. No, I don't.

20 MR. BILKOVIC: Can we bring up Government's -- Page
21 number 33 of the same exhibit, 74.0, message 341, Page 33,
22 message 341.

23 BY MR. BILKOVIC:

24 Q. And do you see this message?

25 A. I -- it's no message. It's a picture.

1 Q. It's an outgoing --

2 A. Yes.

3 Q. Is it an outgoing message from Mr. Didani?

4 A. Yes, it is.

5 Q. Is that a photograph that he sent you?

6 A. Yes.

7 Q. Can you look at Government's proposed Exhibit 73.11. Tell
8 me when you find it.

9 A. Yeah.

10 Q. Does that appear to be an enlargement of the same
11 photograph?

12 A. Yes, it does.

13 MR. BILKOVIC: Your Honor, at this time I would move
14 for admission into evidence of Government's proposed Exhibit
15 73.11.

16 THE COURT: Any objection?

17 MR. FINK: No objection.

18 THE COURT: Very well. It's admitted.

19 (Government's Exhibit 73.11 received into evidence.)

20 MR. BILKOVIC: Can I publish it to the jury?

21 THE COURT: You may.

22 MR. BILKOVIC: Can we zoom in on the bottom half.

23 BY MR. BILKOVIC:

24 Q. And do you see what's depicted in the bottom half?

25 A. Yes, I do.

1 Q. And what is in the bottom half of the photograph?

2 A. It's a picture of a phone holding -- carrying that app,
3 Sky.

4 Q. And is there another phone next to it?

5 A. Yes, there is.

6 MR. BILKOVIC: And if we could zoom back out. And can
7 we go to the top -- go to the top of the photograph.

8 BY MR. BILKOVIC:

9 Q. Does that appear to be -- at the top does that appear to be
10 a map of some sort?

11 A. Yes, it does.

12 Q. Can we go to the next message on the same day, message 342
13 on Page 33. After Mr. Didani sent that photograph, did he
14 follow it up with a text message?

15 A. Yes, he did.

16 Q. And what does the text message say?

17 A. "Home working."

18 Q. Now, you indicated that Mr. Didani ended up purchasing
19 several vehicles from you over the 12 months that you were in
20 communication with him?

21 A. Yes.

22 Q. And does INKAS keep records of business transactions?

23 A. Yes, we do.

24 Q. Do they keep contracts of all vehicles sold?

25 A. Yes.

1 Q. Payment information?

2 A. Yes.

3 Q. Invoice information?

4 A. Yes.

5 Q. Are those records that INKAS keeps in the regular course of
6 business?

7 A. Yes.

8 Q. As a salesman for INKAS, are those records that you
9 yourself prepare at times?

10 A. Yes, they are.

11 Q. Can you put that book aside. And do you see the book down
12 by the TV there?

13 MR. BILKOVIC: Your Honor, would you like me to come
14 up and get it for him so he doesn't have --

15 THE COURT: I would.

16 MR. BILKOVIC: Okay.

17 BY MR. BILKOVIC:

18 Q. If you could look at Government's proposed Exhibit 119.0,
19 119.1, 119.2, 119.3 and 119.4. Can you take a look at those,
20 and after you do tell me if you recognize those?

21 A. Yes, I recognize them.

22 Q. And what are those?

23 A. Invoices and sales agreements.

24 Q. Are those invoices and sales agreements regarding the sale
25 of a 2020 Lexus LX570 to Mr. Didani?

1 A. Yes, it is.

2 Q. Are these records that are kept in the ordinary course of
3 business at INKAS?

4 A. Yes.

5 Q. Are some of these records records that you yourself
6 prepared?

7 A. Yes.

8 MR. BILKOVIC: Your Honor, at this time I would move
9 for admission into evidence of Government's proposed Exhibits
10 119.0 to 119.4.

11 THE COURT: Any objection?

12 MR. FINK: To 119.1 and 4, I don't know if the imagery
13 from the brochure is necessary, but I don't have an objection
14 to the other ones or the content for which they're being
15 offered, which is the price and delivery schedule.

16 THE COURT: And your objection to 119.1 and 119.4 is
17 what?

18 MR. FINK: Is the imagery associated with the
19 description on Pages 4 and 5 of it. Otherwise, I don't have an
20 objection.

21 MR. BILKOVIC: Your Honor, to expedite this, I think
22 what we can do is agree that I will not get into any of that
23 right now, and if we need to take that up later with the Court
24 and the Court doesn't want that in there, we can remove those
25 at that time. I don't plan on getting into any of the areas

1 that Mr. Fink is talking about with this witness with these
2 exhibits.

3 THE COURT: Are they on the exhibit, though?

4 MR. BILKOVIC: They're paper exhibits that we can
5 simply take part of the paper out.

6 MR. FINK: I'm fine with the procedure, Judge.

7 THE COURT: So you want to redact 119.1 and 119.4?

8 MR. FINK: Yeah. It's clear Mr. Bilkovic knows what
9 I'm talking about. Sounds like we can resolve it. I'm not
10 objecting to the purpose for which he's offering it.

11 THE COURT: Okay. Then pending that I will admit
12 119.0 through 119.4, and you can show 119.1 and .4 after you
13 have made the appropriate redactions.

14 (Government's Exhibit 119.0-119.4 received into
15 evidence.)

16 MR. BILKOVIC: Your Honor, would it be -- in order to
17 save some time, if I needed to show just one page of those that
18 does not contain the material that Mr. Fink is talking --

19 THE COURT: As long as you show it to Mr. Fink first.

20 MR. BILKOVIC: Thank you.

21 MR. FINK: I'm fine with that.

22 MR. BILKOVIC: Very well. We will proceed that way.
23 Thank you, your Honor.

24 THE COURT: They're admitted.

25 MR. BILKOVIC: Thank you.

1 BY MR. BILKOVIC:

2 Q. Can you look at Government's proposed Exhibit 120.0, 120.1
3 and 120.2, and tell me if you recognize those?

4 A. Yes, I do.

5 Q. And are those documents that are kept in the ordinary
6 course of business by INKAS?

7 A. Yes, they are.

8 Q. And were those related to the purchase by Mr. Didani of a
9 2020 Lexus LX570?

10 A. Yes, that's correct.

11 MR. BILKOVIC: Your Honor, at this time I would move
12 for admission into evidence of Government's proposed Exhibit
13 120.0 to 120.2. And the only exhibit that has the concerning
14 area for Mr. Fink is Exhibit 120.0, and we can redact that
15 later. I do not plan on showing that to the jury.

16 THE COURT: Otherwise, any objection?

17 MR. FINK: No. I agree with that procedure. Thanks,
18 Judge.

19 THE COURT: All right. They're admitted.

20 (Government's Exhibit 120.0-120.2 received into
21 evidence.)

22 BY MR. BILKOVIC:

23 Q. And could we go to Government's proposed Exhibit 121.0,
24 121.1, 121.2, 121.3 and 121.4.

25 A. Yes.

1 Q. And do you recognize those?

2 A. Yes, I do.

3 Q. And are those documents from INKAS related to the purchase
4 of a 2020 Mercedes-Benz G63 AMG by -- billed to Yefreddy Auto?

5 A. Yes, they do.

6 Q. And are those records kept in the ordinary course of
7 business from INKAS?

8 A. Yes.

9 MR. BILKOVIC: Your Honor, with the same agreements
10 that we had before, I would move for admission into evidence of
11 Government's proposed Exhibit 121.0 through 121.4.

12 THE COURT: Any objection other than otherwise stated?

13 MR. FINK: I'm fine with the same procedure again.

14 Thanks, Judge.

15 THE COURT: All right. They're admitted.

16 (Government's Exhibit 121.0-121.4 received into
17 evidence.)

18 BY MR. BILKOVIC:

19 Q. Can we go to Government's proposed Exhibit 123.0, 123.1,
20 123.2 and 123.3. Do you recognize those?

21 A. Yes, I do.

22 Q. And what are those?

23 A. These are also sales documents.

24 Q. And are those sales documents related to 2021 Chevrolet
25 Tahoes that were sold to Mr. Didani?

1 A. Correct, yes.

2 Q. And are those records -- these records records that are
3 kept in the ordinary course of business?

4 A. Yes, they are.

5 Q. And again, some of these records you prepared yourself?

6 A. Yes, I have.

7 MR. BILKOVIC: Your Honor, at this time, with the same
8 understanding as the previous exhibits, I would move for
9 admission into evidence of Government's proposed Exhibits 123.0
10 through 123.3.

11 THE COURT: Any objection other than otherwise stated?

12 MR. FINK: No, your Honor, same thing. Thank you.

13 THE COURT: All right. Very well. They're admitted
14 with that limitation.

15 (Government's Exhibit 123.0-123.3 received into
16 evidence.)

17 MR. BILKOVIC: Thank you, your Honor.

18 Can we bring up Government's proposed Exhibit 119.3,
19 please. And could we go to the top starting where it says
20 "Sent." And just zoom in on the -- go down to the bottom where
21 it's blue. Go down to the bottom of that.

22 BY MR. BILKOVIC:

23 Q. Do you recognize this?

24 A. Yes, I do.

25 Q. And what is this?

1 A. This is an E-mail.

2 Q. An E-mail from who?

3 A. It's an E-mail sent from myself to Mr. Didani.

4 Q. And Mr. Didani's E-mail address was what E-mail address?

5 A. MIFreight@yahoo.com.

6 Q. And this was sent by you when?

7 A. March 22, 2020.

8 Q. And it appears that there are attachments here. What were
9 the attachments generally?

10 A. These were the sales proposals for the vehicles that
11 Mr. Didani and myself discussed.

12 MR. BILKOVIC: And could we go down to the body of the
13 E-mail, the bottom half. And if we could just -- not the whole
14 thing. Just keep going up. Keep going up, up to the bottom
15 vehicle. Right there.

16 BY MR. BILKOVIC:

17 Q. And again, what is this that we're looking at here?

18 A. This is an E-mail that I sent to Mr. Didani.

19 Q. And this contains basically your description of the
20 vehicles that you're sending him information on?

21 A. Correct.

22 MR. BILKOVIC: Okay. We can take that down.

23 And if we can go to Government's Exhibit 121.2. And
24 if we could start from the "From" at the top and keep going
25 down, right there. And just stop there, but go through the

1 whole body.

2 BY MR. BILKOVIC:

3 Q. And what are we looking at here?

4 A. This is an E-mail received -- that I received from
5 Mr. Didani.

6 Q. And what date was this?

7 A. This was also on Sunday, the 22nd of March 2020.

8 Q. So is this a response from your E-mail that you just
9 testified about?

10 A. Yes, it was.

11 Q. And what is the body of the E-mail?

12 A. It says, "Hi. Thank you for sending this to me, and I was
13 very nice speaking to you, looking forward to do business with
14 you and your company." Then it says, "Sent from my iPhone."

15 MR. BILKOVIC: Can we go to 119.4, Page 1, and can we
16 just go to the bottom half, right there.

17 BY MR. BILKOVIC:

18 Q. And what is it that we're looking at here?

19 A. This is the cover page of our sales proposals where we
20 include the customer's information as well as the salesman's
21 information.

22 Q. And this was a sales proposal that you sent Mr. Didani?

23 A. Yes, it was.

24 Q. And what date did you send him this?

25 A. March 23, 2020.

1 MR. BILKOVIC: Can we go to Government's -- the same
2 exhibit, but can we go to Page 6, 119.4, Page 6. And go to the
3 "Price & Delivery," right there. And just go all the way
4 across. No, too much. Keep going up higher, up into where it
5 says "Optional Equipment."

6 BY MR. BILKOVIC:

7 Q. So does this indicate the type of vehicle involved in the
8 sales contract?

9 A. Yes, sir.

10 Q. What type of vehicle?

11 A. It's a 2020 Lexus LX570.

12 Q. And what is the price in United States dollars for that
13 vehicle?

14 A. 140,000.

15 Q. And these documents in here from Government's Exhibit 119,
16 the series of 119 through the series in 123, were those
17 documents also sent to Mr. Didani during your chats with him?

18 A. Yes, they were.

19 MR. BILKOVIC: Can we go to Government's Exhibit
20 119.1, the first page. And can we go to the bottom portion of
21 this.

22 BY MR. BILKOVIC:

23 Q. And again, this is for the same vehicle that you just
24 testified about, the Lexus; correct?

25 A. Yes, it is.

1 Q. Now, on here there is a different buyer. The buyer is
2 named Yefreddy Auto?

3 A. Correct.

4 Q. Do you recall how that came about?

5 A. Yes. When it comes time to finalize our sales agreements,
6 we require full contact details of the client. I requested
7 from Mr. Didani if he'll be purchasing this vehicle as himself
8 or under a company. He mentioned that he'd be purchasing it
9 under a company and that this is his address where to issue the
10 contract to. The company was called Yefreddy Auto.

11 Q. Was the contract then changed to Yefreddy Auto?

12 A. Yes, sir.

13 Q. Other than Mr. Didani, did you ever talk to anybody in the
14 year that you were chatting with Mr. Didani that claimed to
15 work at Yefreddy Auto?

16 A. Never.

17 Q. Did you receive any E-mails or any type of communications
18 from anybody that claimed to work at Yefreddy Auto?

19 A. I don't believe so, no.

20 Q. And while you were doing this, how would you accept
21 payments, like on what type of a schedule?

22 A. So, if it's a vehicle that we have in inventory, it's
23 already produced, then we request full balance at time of
24 signing the agreement. If it's a vehicle that we need to
25 produce, and by produce I mean purchase the vehicle, put it

1 into production, then we will take -- we would request 60
2 percent at signing of the agreement and the balance prior to
3 shipment.

4 Q. And this -- these vehicles that you sold to Mr. Didani, was
5 it kind of an ever-evolving thing or were they all purchased at
6 one time?

7 A. It was evolving.

8 Q. So were there vehicles that were purchased at different
9 points in time?

10 A. Yes, sir.

11 Q. And when the vehicles were purchased were payments made at
12 different points in time?

13 A. Yes, sir.

14 Q. And so when you got a payment what would you do with that
15 payment? Would you apply it towards a specific vehicle or just
16 the overall total that Mr. Didani owed you?

17 A. We would apply it to a specific order. We'd patch it
18 together with that contract.

19 MR. BILKOVIC: If you could look at Government's
20 Exhibit -- could we bring up 119.2. And again, these are
21 documents related to the 2020 Lexus LX570. And could we go to
22 the bottom half of that. Keep going down.

23 BY MR. BILKOVIC:

24 Q. Would you receive E-mails or send E-mails when payments
25 were made for vehicles that Mr. Didani was purchasing?

1 A. Yes, I would.

2 Q. And do you see -- does this exhibit, does this E-mail, is
3 there anything in here that reflects a payment that INKAS had
4 received?

5 A. Yes, it does.

6 Q. And could you tell the jury where that's at?

7 A. Sure. It's at the bottom E-mail, message from David
8 Khazanski.

9 Q. What's the date?

10 A. The date is June 16, 2020.

11 Q. Okay. And what is the subject of the E-mail?

12 A. "Wire in Scotia, Yefreddy Auto.

13 Q. What is the E-mail about?

14 A. It's a wire transfer that we received from Yefreddy Auto
15 from Mr. Didani.

16 Q. And the amount was ...

17 A. 63,800.

18 Q. And would that have been in U.S. dollars?

19 A. Yes, sir.

20 Q. And there's a company next to that, Impact Point Trading?

21 A. Yes.

22 Q. Would that have been the company that sent the payment?

23 A. Yes, it would be.

24 Q. Throughout your dealings with Mr. Didani, did you receive
25 multiple -- or did INKAS receive multiple wire payments?

1 A. Yes, we have.

2 Q. Were they from the same company or were they from different
3 companies?

4 A. Always different companies.

5 Q. Always different companies?

6 A. Yes, sir.

7 Q. I'm sorry?

8 A. Yes.

9 Q. And was that vehicle completed by INKAS?

10 A. Yes, it was.

11 Q. And do you know where that vehicle was sent?

12 A. To the Dominican Republic.

13 Q. And who requested that it be sent to the Dominican
14 Republic?

15 A. Mr. Didani.

16 MR. BILKOVIC: Can we go to Exhibit 121.4, and can we
17 go to the bottom portion of this.

18 BY MR. BILKOVIC:

19 Q. And what is this?

20 A. This is also the cover page of our sales proposals.

21 Q. Can you go to Page 6 of that document, 121.4, Page 6.

22 THE COURT: Is that Page 6 -- or no? Okay.

23 MR. BILKOVIC: Can we go to the top -- down to where
24 it says "Optional Equipment." Yeah.

25

1 BY MR. BILKOVIC:

2 Q. And what was this sales proposal for?

3 A. This was for the 2020 Mercedes Benz G63 AMG.

4 Q. And what was the price of that initially? What was the
5 initial quote for the price?

6 A. 285,000 U.S. dollars.

7 Q. And was that a vehicle that Mr. Didani or Yefreddy Auto
8 ended up purchasing?

9 A. Yes, sir.

10 MR. BILKOVIC: Can you bring up the front page of
11 121.1.

12 BY MR. BILKOVIC:

13 Q. And again, would this be the front page of the sales
14 proposal for that vehicle?

15 A. Yes, that's correct.

16 MR. BILKOVIC: And can we zoom in on the bottom third.

17 BY MR. BILKOVIC:

18 Q. And again, the buyer in this case was changed from
19 Mr. Didani to who?

20 A. Yefreddy Auto.

21 Q. And that was done on what date?

22 A. That was on March 30, 2020.

23 Q. And who requested that the buyer be changed to Yefreddy
24 Auto?

25 A. Mr. Didani.

1 Q. And can we go to 121.0. And what are we looking at here?

2 A. This is a purchase invoice.

3 MR. BILKOVIC: Can we go to the top half of it,
4 starting right there. Go down to the total amount, right
5 there.

6 BY MR. BILKOVIC:

7 Q. And what is the date on this?

8 A. The date on this is September 1, 2020.

9 Q. So would this kind of be like a billing statement as to
10 what's still owed on the vehicle?

11 A. Yes, sir.

12 Q. And again, this was billed to who?

13 A. This was billed to Yefreddy Auto.

14 Q. And this was for what vehicle?

15 A. This was for the 2020 Mercedes G63.

16 Q. And what was -- because I see under there the 285,000 you
17 talked about previously, but there are some additional charges
18 there as well?

19 A. Yes, sir.

20 Q. What would the total cost of that vehicle be? Is that on
21 that? Is it on this exhibit?

22 A. It is. Do you mind zooming it? Thank you.

23 Q. We'll zoom in for you.

24 THE COURT: And this is the Mercedes?

25 MR. BILKOVIC: Yes.

1 THE COURT: Okay.

2 BY MR. BILKOVIC:

3 Q. Can you read that?

4 A. Yes, I can.

5 Q. And what did the total of the vehicle ended up being with
6 all costs included?

7 A. All costs included came out to \$295,350 U.S. dollars.

8 Q. Does that invoice reflect the payment that had been made?

9 A. Yes, sir.

10 Q. As of September 1st of 2020?

11 A. Correct.

12 Q. And how much had been paid towards the vehicle?

13 A. The \$201,300 was applied to this vehicle.

14 Q. The balance on this vehicle was how much?

15 A. \$94,050.

16 Q. Now, when you -- were there times where you needed to
17 discuss payments with anybody for these vehicles on the buyer's
18 side, on Mr. Didani's side?

19 A. Yes.

20 Q. And who was it that you could discuss this with?

21 A. Mr. Didani.

22 Q. Anybody else?

23 A. I apologize. Mr. Didani did have a couple times contacts
24 call me to verify an account.

25 Q. Okay.

1 A. And funds.

2 Q. I'm sorry?

3 A. And to send funds.

4 MR. BILKOVIC: If we could go to Government's Exhibit
5 120, Page 1. Can we go to the bottom part of it.

6 BY MR. BILKOVIC:

7 Q. And what are we looking at here?

8 A. This is also the cover page of the different sales
9 agreement.

10 Q. And can we go to -- before we get there, what's the date of
11 this?

12 A. The date of this is August 12, 2020.

13 Q. And the buyer is ...

14 A. Yefreddy Auto.

15 Q. If you could go to Page 6 of that exhibit, 120.0, Page 6.
16 And what type of vehicle is this?

17 MR. BILKOVIC: If we can zoom in on the top third.
18 Right there.

19 BY MR. BILKOVIC:

20 Q. What type of vehicle is this?

21 A. This is a 2020 Lexus LX570 Sport.

22 Q. So is this a different Lexus than what you had talked about
23 earlier?

24 A. Yes, sir.

25 Q. Is this an example of how the vehicles were being purchased

1 on an ongoing basis? We're now in August of 2020.

2 A. Correct.

3 Q. What was the price on this vehicle before any modifications
4 or anything?

5 A. \$143,000, U.S. dollars.

6 Q. And who requested that the buyer's name be -- that it be
7 put in the name of Yefreddy Auto? Who requested that be done?

8 A. Well, this is part of our sales agreement that request for
9 it to be written and signed by the customer.

10 Q. Who requested that it be Yefreddy Auto as the buyer?

11 A. Oh. Mr. Didani.

12 MR. BILKOVIC: Can you go to 120.0 -- I'm sorry,
13 120.1. And can we go to the top -- right there, yeah. And go
14 down to right there.

15 BY MR. BILKOVIC:

16 Q. So this is labeled "Bill of Sale." What is this?

17 A. This is a bill of sale similar to a purchase invoice. It
18 just shows the finalized vehicle.

19 Q. And --

20 A. The order.

21 Q. I'm sorry?

22 A. It shows the order of what was ordered and the pricing.

23 Q. And this date was ...

24 A. This was July 8, 2020.

25 Q. Who is this billed to?

1 A. This is billed to a gentleman named Franklyn Martin
2 Romero Morillo.

3 Q. And who requested that it be billed to Franklyn Martin
4 Romero Morillo?

5 A. Mr. Didani.

6 Q. Did you ever meet Franklyn Martin Romero Morillo?

7 A. I have not.

8 Q. Did you ever talk to him?

9 A. I have not.

10 Q. Did he ever attempt to contact you?

11 A. No, sir.

12 Q. Was this vehicle completed?

13 A. Yes, it was, sir.

14 Q. Do you know whether this was shipped?

15 A. Yes.

16 Q. Where was this shipped to?

17 A. If you could just zoom in on the description, I can tell
18 you exactly which Lexus, I believe.

19 Yes, this was shipped to the Dominican Republic.

20 Q. This was shipped to the Dominican Republic?

21 A. Yes, sir.

22 MR. BILKOVIC: If we could go to 123.0, and go to the
23 front page.

24 BY MR. BILKOVIC:

25 Q. And what are we looking at here?

1 A. We're looking at a sales document.

2 MR. BILKOVIC: Can we go to the top half of it.

3 BY MR. BILKOVIC:

4 Q. And what is the document title?

5 A. "Purchase Invoice."

6 Q. Now, again is this basically a billing statement as to
7 what's still owed for vehicles?

8 A. Yes, sir.

9 Q. And what is the date on this?

10 A. The date on this one is March 3, 2021.

11 Q. And who is this billed to?

12 A. Mr. Didani.

13 Q. And is there contact information there?

14 A. There is.

15 Q. And what is the contact information?

16 A. It's an address in Ecuador as well as his E-mail address
17 and his WhatsApp telephone number.

18 Q. The WhatsApp number ending in 1315?

19 A. Yes, sir.

20 Q. And what was this for?

21 A. Whenever we --

22 Q. I mean what vehicle was this?

23 A. Oh, okay. This is for two Chevrolet Tahoes, 2020 SUVs.

24 Q. And again, the armored Tahoes?

25 A. Yes, sir.

1 Q. What was the cost of each one of these?

2 A. Each one was \$127,150 U.S. dollars.

3 Q. And how much had been paid? When this statement was sent
4 in March of 2021, how much had been paid towards those
5 vehicles?

6 A. \$200,000 U.S.

7 THE COURT: That looks like a request for lunch to me,
8 okay. All right. I'm going to let them go to lunch.

9 Is this a good place to stop, Counsel?

10 MR. BILKOVIC: Yes, your Honor. I know it's
11 exhilarating testimony, but ...

12 THE COURT: Okay. All right. Well, I'm not
13 commenting on that, but I'm going to let the jury go to lunch.

14 Remember that you're not permitted to talk about the
15 case among yourselves or with anyone else during the time
16 you're in recess. And don't use any social media to indicate
17 anything to anyone or to find out anything about the case. And
18 you may step down and come back in an hour, okay. Thank you.

19 Please rise for the jury.

20 (The jury left the courtroom at 12:55 p.m.)

21 THE COURT: You may step down, and please don't
22 discuss your testimony with anyone except your own lawyer;
23 okay?

24 THE WITNESS: Yes.

25 THE COURT: And come back in an hour, please.

1 THE WITNESS: Yes, your Honor.

2 THE COURT: All right. Thank you.

3 One hour, gentlemen. Is that good?

4 MR. BILKOVIC: Yes, your Honor.

5 THE COURT: Did you want to bring up something,
6 though?

7 MR. BILKOVIC: I was just going to raise -- I just
8 wanted to make sure that Mr. Fink and I are on the same page.
9 In all those contracts, they're all 11 pages long.

10 THE COURT: They're all what?

11 MR. BILKOVIC: The contracts themselves, the sales
12 agreements, are all approximately 11 pages long. And within
13 them there is a -- basically it's almost like an advertisement
14 of four or five pages as to what the vehicles do, what they're
15 able to withstand, and there's pictures of bullets and things
16 like that. We will take those out. I was not planning on
17 getting into any of that, so we will take that out. The
18 Government would agree to just redact those and just remove the
19 pages if that's acceptable to Mr. Fink.

20 MR. FINK: Yes, it is.

21 THE COURT: And you'll give me a copy of that; right?

22 MR. BILKOVIC: Yes. I won't be able to do it --

23 THE COURT: It's okay. I don't need to have it today.

24 MR. BILKOVIC: I will get you a copy of all of them.
25 What I'm going to do, instead of redacting, is I'm just going

1 to remove the pages, which means our page numbers might be off.
2 So I don't know how the Court wants to handle that. I don't
3 know that redacting five pages in a row looks great.

4 THE COURT: So you and Mr. Fink decide how that will
5 look.

6 MR. BILKOVIC: Okay.

7 THE COURT: And then you tell me so we can have a
8 clear record if it.

9 MR. BILKOVIC: Okay. Very well. Thank you.

10 THE COURT: All right. Anything else we need to take
11 up before the break?

12 MR. FINK: No, your Honor. I asked -- it's to do with
13 manpower, but if my client could be brought up a little bit
14 early before lunch, I will be grateful so I could have a few
15 minutes.

16 THE COURT: That does have to do with manpower,
17 because that's the time other people are moving their
18 individuals as well.

19 MR. FINK: Sure.

20 THE COURT: Can he be brought up about 15 minutes
21 early, gentlemen?

22 MARSHAL: We can do that, Judge.

23 THE COURT: I mean the marshals. And there's one
24 that's not a gentleman, so lady as well.

25 MR. FINK: They're excellent, as you well know. So

1 I'll talk to them about it.

2 THE COURT: Okay. That will be great. I would
3 appreciate it, and I thank you very much, okay.

4 All right. Let's take a recess.

5 (At 12:57 p.m., a recess was taken for lunch.

6 Back on the record at 2:14 p.m.)

7 LAW CLERK: All rise. Court is back in session.

8 THE COURT: You may have your witness step back up.
9 We're ready.

10 LAW CLERK: All rise for the jury.

11 (The jury entered the courtroom at 2:15 p.m.)

12 THE COURT: Okay. You may all be seated.

13 Are you satisfied the jurors have returned and are in
14 their proper seats for the Government?

15 MR. BILKOVIC: Yes, your Honor.

16 THE COURT: What about for defense?

17 MR. FINK: Yes, your Honor.

18 THE COURT: Very good. I'm satisfied as well.

19 And, Mr. Daskal, you're still under oath; all right?

20 THE WITNESS: Yes.

21 THE COURT: Okay. You may continue.

22 MR. BILKOVIC: Thank you, your Honor.

23 Could we bring up 119.0 again. And could we zoom in
24 on the middle portion.

25

1 BY MR. BILKOVIC:

2 Q. Mr. Daskal, again this was for the first Lexus; correct?

3 A. Correct.

4 Q. Now, in the middle under the description, under the vehicle
5 description, there's a description for a custom interior
6 modification for \$6,000. What was that for?

7 A. Mr. Didani requested two separate hidden compartments
8 installed inside the vehicle.

9 Q. And is that something that INKAS does or did you have to
10 basically farm that out?

11 A. We outsourced it. It's not something we regularly do.

12 Q. And was that something that he did just on this car or was
13 that requested on other cars well?

14 A. That was on multiple cars.

15 Q. Now, you had said earlier --

16 MR. BILKOVIC: You can take that down. Thank you.

17 BY MR. BILKOVIC:

18 Q. -- that some of the payments were made via wire; correct?

19 A. Correct.

20 Q. And when you received a wire would you let Mr. Didani know?

21 A. Yes, I would.

22 Q. And were there times when wires were sent that he would let
23 you know?

24 A. Yes.

25 Q. Can you look at Government's Exhibit 74, Page 9, and

1 message number 585. And actually, we're going to -- let me
2 come grab that from you.

3 MR. BILKOVIC: May I approach, Judge?

4 THE COURT: Yes, you may.

5 MR. BILKOVIC: I'm going to go back here and -- 74.0,
6 Page 9. And could we bring up message number 585.

7 BY MR. BILKOVIC:

8 Q. Now, I know the picture is blurry here, but do you see a
9 photograph that Mr. Didani had sent you?

10 A. Yes, I do.

11 Q. And can you look at Government's proposed Exhibit 74.5.

12 A. Yes.

13 Q. And is that an enlarged version of that photograph that
14 Mr. Didani sent you?

15 A. Yes, it is.

16 Q. And is that basically a screenshot of a wire transfer that
17 was made to INKAS?

18 A. Exactly, yes.

19 MR. BILKOVIC: Your Honor, at this time I would move
20 for admission into evidence of Government's proposed Exhibit
21 74.5.

22 THE COURT: Any objection?

23 MR. FINK: No, your Honor.

24 THE COURT: Very well. It's admitted as 74.5.

25 (Government's Exhibit 74.5 received into evidence.)

1 BY MR. BILKOVIC:

2 Q. I know it's blurry, so I'm not going to publish it to the
3 jury, but can you tell from here -- are you able to look at
4 that and read the date on it? I have reading glasses if you
5 need them.

6 A. I can see the date.

7 Q. What is the date?

8 A. The 10th of December 2020.

9 Q. And what is the wire amount?

10 A. It is blurry, but it looks like 189,300.

11 Q. So 189,000?

12 A. 189,300 U.S. dollars -- sorry, Canadian dollars.

13 Q. Canadian dollars. And what was the company that sent that?

14 A. Camaro Impex General Trading, LLC.

15 Q. So this would be an example of another company sending the
16 wire?

17 A. Yes, sir.

18 Q. Did you have any contact with anybody at Camaro?

19 A. I have not.

20 Q. Have you had contact with -- let me ask you this. Do you
21 know if the person that was running Camaro was running any
22 other trading companies?

23 A. I don't know, no.

24 Q. Now, you talked earlier about how INKAS would only accept
25 wire payment and on occasion checks, but in this case were

1 there times that you accepted cash?

2 A. Yes, sir.

3 Q. And was that basically unusual or unique for INKAS to do
4 that?

5 A. It's very unique, yes.

6 Q. And whose idea was it to pay cash?

7 A. Mr. Didani's.

8 Q. And was there a chat -- a text message chat about that?

9 A. Yes.

10 THE COURT: Say that question again.

11 BY MR. BILKOVIC:

12 Q. Were there messages in the WhatsApp chat about that?

13 A. Yes, there were.

14 Q. If you could look at --

15 MR. BILKOVIC: Actually, if we could bring up
16 Government's Exhibit 73.0, Page 20, and if we could start with
17 message 194.

18 BY MR. BILKOVIC:

19 Q. And can you see from there the date on this?

20 A. Yes.

21 Q. And what is the date?

22 A. March 28, 2020.

23 Q. Maybe we better zoom in.

24 A. Sorry. March 26, 2020.

25 Q. So this would be early on in the -- after you had recently

1 met Mr. Didani; correct?

2 A. We never met. Just on the phone, yes.

3 Q. I mean, you started talking with them, I guess?

4 A. Correct, yes.

5 Q. And what is the message that he sent you?

6 A. "I wish you can take cash."

7 Q. And can we go to message 195 on the same page. And how did
8 you respond?

9 A. "I can."

10 Q. And can we go to message 196 on the same page. And did you
11 respond again?

12 A. Yes, I did.

13 Q. And what did you say?

14 A. "Can you deliver cash?"

15 Q. Can we go to the next page, Page 21 of Government's Exhibit
16 73.0 and go to the top message, 197. And again, are we still
17 on March 26?

18 A. Yes. Do you mind zooming in on this a little bit if that's
19 okay?

20 MR. BILKOVIC: Can you zoom in on the date and on the
21 body.

22 THE WITNESS: Yes, that's March 26.

23 BY MR. BILKOVIC:

24 Q. And how did Mr. Didani respond to you?

25 A. He wrote, "I work with millions all over, but been little

1 problem with my Chinos and Pakistani people from Dubai."

2 MR. BILKOVIC: Can we go to 73.0, Page 22, and can we
3 go to message 203. And could we just focus in on the date and
4 the body of the message.

5 BY MR. BILKOVIC:

6 Q. And the date again, we're still on March 26 of 2020?

7 A. Yes.

8 Q. Is that correct?

9 A. Yes, that's correct.

10 Q. And this is a message you sent to Mr. Didani?

11 A. Yes.

12 Q. And what did you ask him?

13 A. "Do you have someone in Toronto that can deliver USD?"

14 Q. Can we go to the next page, 73.0, Page 23, or dash 23,
15 message 204. And again, still on March 26, how does Mr. Didani
16 respond to you? Can you see that?

17 A. Yes. He responded, "I can ask Chinos."

18 Q. And can we go to the next message, message 205 on the same
19 page. And you responded?

20 A. Okay.

21 Q. And can we go to the last message on that page, message
22 206. And again, we're on March 26?

23 A. Yes.

24 Q. Does Mr. Didani send you another text message that is
25 message 206?

1 A. Yes, he does.

2 Q. And what does he text you?

3 A. "Always been scared of USA, but I'm okay in Canada."

4 Q. Now, did he ever talk to you about "Chinos"? Did he ever
5 explain to you what "Chinos" meant?

6 A. He did, yeah.

7 Q. I'm sorry?

8 A. Yes, yeah.

9 Q. What did he tell you "Chinos" meant?

10 A. Associates of Mr. Didani that were of Chinese heritage.

11 Q. And did he tell you what they did?

12 A. No.

13 Q. Did you continue to discuss potentially receiving cash
14 payments from Mr. Didani?

15 A. Yes.

16 Q. And did there come a point in time where he explained to
17 you how that would work?

18 A. Yes, there was.

19 Q. If we could go to Government's Exhibit 73.0, Page 56,
20 starting with message 853.

21 THE COURT: Okay. Tell me that again. It's message
22 853 from what?

23 MR. BILKOVIC: 73.0, Page 56.

24 THE COURT: Got it.

25 MR. BILKOVIC: And we're going to start at message

1 853.

2 THE COURT: Okay.

3 MR. BILKOVIC: Thank you.

4 BY MR. BILKOVIC:

5 Q. The date of these messages that we're going to start on
6 now, what is the date?

7 A. Looks like May the 5th, 2020.

8 Q. So at this point in time had you accepted any cash yet from
9 Mr. Didani?

10 A. I had not.

11 Q. Okay. And what is it that he text you?

12 A. "They do all the transfer all over the world."

13 Q. If we can go to the next message on the same page, 854,
14 message 854. And what does he text you?

15 A. "Look how this work when you ready."

16 Q. And can we go to the next page, Page 57 of 73.0, and go to
17 the bottom message, 856. And what is it that he text you?

18 A. "You have to send me pic of one dollar."

19 Q. Can we go to the next page, which would be Page 58 of
20 Exhibit 73.0, and can we go to message 857 at the top. And
21 here is this a photograph that Mr. Didani sent you?

22 A. Yes, it was.

23 Q. Can you look at Government's proposed Exhibit 73.20.

24 MR. FINK: 73.20?

25 MR. BILKOVIC: 73.20, yes. Point 2-0.

1 BY MR. BILKOVIC:

2 Q. Do you have it?

3 A. I have it in the front of me, yes.

4 Q. Is that an enlarged version of the photograph that
5 Mr. Didani you in message 857 on May 5th of 2020?

6 A. Yes, it is.

7 MR. BILKOVIC: Your Honor, at this time I would move
8 for admission into evidence of Government's proposed Exhibit
9 73.20.

10 MR. FINK: No objection.

11 THE COURT: No objection. It's admitted as 73.20.

12 (Government's Exhibit 73.20 received into evidence.)

13 MR. BILKOVIC: Thank you, your Honor.

14 May I publish it to the jury?

15 THE COURT: Yes, you may.

16 BY MR. BILKOVIC:

17 Q. So this is basically a photograph of what Mr. Didani sent
18 you?

19 A. Yes.

20 Q. Now, it's not the whole bill; correct?

21 A. No, it isn't.

22 Q. Do you see the serial number contained there?

23 A. I do.

24 Q. And if we could go to message -- the next message, 858, on
25 Page 58. And did Mr. Didani send this message after sending

1 you that photograph?

2 A. Yes, he did.

3 Q. And what does he say in this message?

4 A. "Like this."

5 Q. Can we go to Exhibit 73.0, Page 59, and go to the top
6 message, which is 859. And does the chat continue about this?

7 A. Yes.

8 Q. So we're still on May 5th here?

9 A. Around May 5th, yes.

10 Q. And Mr. Didani, what does he text you?

11 A. "With numbers."

12 Q. So what did you take that to mean?

13 A. The serial numbers of the bill.

14 Q. Why? Do you think he wanted -- well, what did you think he
15 wanted you to do?

16 A. I didn't know yet, actually, I'll be honest with you.
17 Yeah.

18 Q. He's explaining this, and you don't know exactly what he's
19 asking?

20 A. Actually, he was explaining it, and I was trying to
21 understand exactly what he wanted.

22 Q. Okay. Can we go to the next message on the same page,
23 which would be message 860. And what does Mr. Didani text you?

24 A. "Once you send me that I send to them."

25 Q. And can we go to the next message, same page, 861, message

1 861. And what does that say?

2 A. "They will contact you and come to your address." I
3 believe it's ADR abbreviated.

4 Q. ADR?

5 A. Address.

6 Q. So it says "ADR." You took that to mean address?

7 A. Correct.

8 Q. And can we go to the next message on the same page, 862.
9 And do you respond?

10 A. I responded.

11 Q. And how did you respond?

12 A. "Now I'm confused."

13 Q. Were you confused?

14 A. Very.

15 Q. Can we go to the next page, 73.0, Page 60, and go to the
16 top message, 863. And did Mr. Didani send you another text
17 after you texted him that you were confused?

18 A. Yes.

19 Q. And what did he text you?

20 A. "You have to pull out the same dollar."

21 Q. Can we go to the next page, 73.0-61, or Page 61, message at
22 the top, 866. And this is a message that Mr. Didani sent to
23 you?

24 A. Yes.

25 Q. I'm sorry?

1 A. Yes, correct.

2 Q. And what did he text you?

3 A. "Can I call you?"

4 Q. And can we go to the next message on the same page, message
5 867. And you responded ...

6 A. "Sure."

7 Q. Did there come a point in time where you talked to him and
8 got clarification as to what needed to happen?

9 A. Yes.

10 Q. And what did he explain to you? How did he explain to you
11 that this would work?

12 A. He explained that the serial numbers of one bill, I should
13 take a picture of the serial number, send it to Mr. Didani. He
14 would send it to his partners. When the partners would come to
15 deliver the funds, I would have to present the same dollar bill
16 with the same serial number, and they would match it together
17 with whatever they had of the dollar bill.

18 Q. And if they matched what would they do?

19 A. They would provide me with cash.

20 Q. And so did there come a point in time a few months later
21 where arrangements were made where you were going to receive a
22 cash payment?

23 A. Yes, sir.

24 Q. And who did you make those arrangements with?

25 A. Mr. Didani.

1 Q. Can we go to Exhibit -- stay on the same exhibit, 73.0.
2 Can we go to Page 103 and can we go to message 2247. And so
3 this is an incoming message on September 9, 2020; is that
4 correct?

5 A. That's correct.

6 Q. Incoming means that's coming from you?

7 A. Yes.

8 Q. And what was it that you said?

9 A. It was a picture of a bill of some currency. Can you tell
10 me the number and I'll take a look.

11 Q. I'm sorry?

12 A. Can you --

13 Q. I'm going to have you look at it.

14 A. It's a Colombian peso.

15 Q. This is a photograph of a bill that you sent to Mr. Didani?

16 A. Yes, sir.

17 Q. Can you look at Government's Exhibit 73.45.

18 MR. FINK: 73 point ...

19 MR. BILKOVIC: 73.45.

20 BY MR. BILKOVIC:

21 Q. Do you have it?

22 A. Yes.

23 Q. And do you recognize that?

24 A. I do.

25 Q. Is that an enlarged version of the photograph that you sent

1 to Mr. Didani?

2 A. Yes, it is.

3 Q. And what is it a photograph of?

4 A. It's a 10,000 peso Colombian note.

5 MR. BILKOVIC: Your Honor, at this time I would move
6 for admission into evidence of Government's proposed Exhibit
7 73.45.

8 THE COURT: Any objection?

9 MR. FINK: Mark, which message was that?

10 MR. BILKOVIC: It's message 2247.

11 MR. FINK: No objection.

12 THE COURT: Very well. It's admitted. And it's
13 73.45?

14 MR. BILKOVIC: Correct.

15 THE COURT: All right. It's admitted.

16 (Government's Exhibit 73.45 received into evidence.)

17 MR. BILKOVIC: May I publish it to the jury?

18 THE COURT: Yes.

19 BY MR. BILKOVIC:

20 Q. And again, this is the photograph of the bill that you sent
21 to Mr. Didani?

22 A. Yes, it is.

23 Q. And can we go to the next message on the same page, which
24 would be 2248. Did Mr. Didani respond to you?

25 A. Yes, he did.

1 Q. And how did he respond?

2 A. With laughter.

3 Q. Pardon me?

4 A. With laughter, "Ha, ha, ha, ha."

5 Q. "Ha, ha, ha"?

6 A. Many ha, ha's, yes.

7 Q. Repeated multiple times?

8 A. Correct, yes.

9 Q. And then can we go to the next page, 73.0 dash -- or Page
10 104, message 2250 at the top. And did he, Mr. Didani, make a
11 further comment on what you had sent him?

12 A. Yes. He said, "LOL," laugh out loud, "Colombian."

13 Q. Now, did you have -- when you would make these requests for
14 payment, did you receive them always on time?

15 A. No, I didn't.

16 Q. And the first cash payment that you accepted, did you
17 receive it on time?

18 A. I don't recollect, but I believe there was a delay.

19 Q. And would you ever -- let me ask you this. How was it --
20 would you be in contact with somebody other than Mr. Didani
21 with respect to the actual payment itself?

22 A. So I would receive usually a text message from whoever
23 Mr. Didani gave the instruction to or when they will come, more
24 to confirm the address, or to go visit them to pick up the
25 cash.

1 Q. And would you then engage in text messages with this person
2 to basically coordinate that?

3 A. Very briefly. I refused to go to any address outside of
4 the office, and I would take screenshots and I'd send it to
5 Mr. Didani.

6 Q. You would take screenshots of what?

7 A. Of the chat between this person and myself.

8 Q. Can we go to Government's Exhibit 73.0, Page 106, the
9 bottom message, 2257. Now, I know it's small, but is this a
10 screenshot of text messages that you sent to Mr. Didani?

11 A. Yes, it is.

12 Q. And that would have been on September 10, 2020?

13 A. September 10, yes.

14 Q. Can you look at Government's Exhibit proposed Exhibit
15 73.50. Do you see that?

16 A. Yes, I do.

17 Q. And is that one of the text message screens that you sent
18 to Mr. Didani with respect to this transaction?

19 A. Yes, it is.

20 MR. BILKOVIC: Your Honor, at this time I would move
21 for admission into evidence of Government's proposed Exhibit
22 73.50.

23 THE COURT: Any objection?

24 MR. FINK: Depending on how it's used, Judge, I don't
25 have an objection as to it being the picture from the chat, but

1 what's contained in there, I suppose, unless I know how it's
2 being used would be hearsay.

3 THE COURT: Mr. Bilkovic, do you want to respond to
4 that?

5 MR. BILKOVIC: Yes, Judge. Basically this is --
6 basically the content here is he is receiving information from
7 somebody. There appears to be a disagreement between them. He
8 then sends this information to Mr. Didani and gives him
9 instructions on what to do.

10 THE COURT: Gives Mr. Didani instructions?

11 MR. BILKOVIC: No. Mr. Didani then gives him
12 instructions.

13 THE COURT: Okay. So now that you know how it's being
14 used --

15 MR. FINK: For that purpose, I have no objection, just
16 not as to its truth.

17 THE COURT: Okay. Very well. And it's offered for
18 that purpose. And the jury will not consider it for the truth
19 of the matter asserted, and it's admitted. And you may show
20 it, 73.50.

21 (Government's Exhibit 73.50 received into evidence.)

22 MR. BILKOVIC: Thank you.

23 And can we zoom in just on the top half.

24 BY MR. BILKOVIC:

25 Q. Now, are you in the green here or are you in the gray?

1 A. I would be in the green.

2 Q. So at the very top, 365 Weston Road, what does that
3 signify?

4 A. That's our head office in Toronto for INKAS.

5 Q. Were you trying to get the person to deliver the money
6 there?

7 A. Yes.

8 Q. Did they provide you a different address?

9 A. Yes, they did.

10 Q. Can we go to the bottom portion. And we start with the
11 green at the top. You text. What do you say?

12 A. "I don't go there."

13 Q. And then did they respond basically with an address?

14 A. They gave me another address to go to.

15 Q. And then how did you respond?

16 A. I said, "File must be delivered at 34605 Weston Road. We
17 do not do pick up. Sorry. If it cannot be delivered today,
18 then tomorrow morning. Need to know ASAP, because my staff is
19 waiting and want to go home already."

20 Q. And can we go to Government's Exhibit -- same exhibit,
21 73.0, Page 104, message 2252. And this is -- is this another
22 screenshot of text messages that you were sending Mr. Didani
23 about what was going on with the payment?

24 A. Yes, it is.

25 Q. And that's in message 2252?

1 A. That's in 2252, yes.

2 Q. Now, at some point in time did Mr. Didani leave you a
3 message as to what to do, a voice message?

4 A. There were many voice messages. I'm sorry, yeah.

5 Q. I want you to look at --

6 MR. BILKOVIC: If we could bring up Government's
7 proposed Exhibit 106 -- I'm sorry, Government's Exhibit 73.0,
8 Page 106, message 2255.

9 THE COURT: Say that again, 73.0 ...

10 MR. BILKOVIC: 73.0, Page 106, message 2255.

11 THE COURT: Thank you.

12 BY MR. BILKOVIC:

13 Q. And does this appear to be basically a message from
14 Mr. Didani that has no content?

15 A. Yes, it does.

16 Q. Do you see the bottom on there the blue that ends in
17 "Opus"?

18 A. The blue underlining there?

19 Q. Yes.

20 A. Yes, I can. Okay, yeah.

21 Q. Do you know from looking at the chats and reviewing these
22 with the Government that those would be voice messages?

23 A. They're audio messages, yes.

24 MR. BILKOVIC: Your Honor, at this time I would move
25 for admission into evidence of Government's proposed Exhibit

1 73.49, which is the audio message that was from this portion of
2 the chat message 2255.

3 THE COURT: Any objection?

4 MR. FINK: Judge, I am just looking at the closed
5 captioning to ensure.

6 No objection, your Honor.

7 THE COURT: Okay. 73.49 is admitted.

8 (Government's Exhibit 73.49 received into evidence.)

9 MR. BILKOVIC: May I play it for the jury, your Honor?

10 THE COURT: Yes.

11 (Audio played.)

12 BY MR. BILKOVIC:

13 Q. And can we go to the next message, 2256 on the same page,
14 Page 106 of Exhibit 73. And did you respond to Mr. Didani's
15 audio message?

16 A. Yes, I did.

17 MR. BILKOVIC: Could we just zoom in on the body so we
18 can read it.

19 BY MR. BILKOVIC:

20 Q. And what did you tell him?

21 A. "I did that, and they wrote a different address for me to
22 pick up. I told them we won't pick up. Must be delivered."

23 Q. Now, at some point in time did the money get dropped off to
24 you?

25 A. It did.

1 Q. And did you let Mr. Didani know that?

2 A. Yes, I did.

3 Q. Was there an issue with the way that it was dropped off to
4 you?

5 A. Yes.

6 Q. And what was the issue?

7 A. It was delivered in Canadian dollars, multiple small
8 denominations in Canadian dollars mostly.

9 Q. And did you let Mr. Didani know that in this text message
10 string?

11 A. I mentioned to Mr. Didani it needs to be in American
12 dollars, USD.

13 Q. And did you send Mr. Didani a photograph of the money that
14 you had received?

15 A. Yes, I did.

16 Q. Can we go to Page 110 of Exhibit 73.0, message 2271. And
17 is that a photograph that you sent Mr. Didani on September 10,
18 2020?

19 A. Yes, sir.

20 Q. I'm sorry?

21 A. Yes, sir.

22 Q. And can you look at Government's proposed Exhibit 73.51.

23 A. I'm here.

24 Q. And what is that?

25 A. That's a photograph of the Canadian dollars that we

1 received from Mr. Didani.

2 Q. That's basically what we see here in message 2271, but the
3 enlarged version?

4 A. Correct.

5 MR. BILKOVIC: Your Honor, at the time I would move
6 for admission into evidence of Government's proposed Exhibit
7 73.51.

8 THE COURT: Any objection?

9 MR. FINK: No objection.

10 THE COURT: Very well. It's admitted at 73.51.

11 (Government's Exhibit 73.51 received into evidence.)

12 MR. BILKOVIC: And may I publish it to the jury?

13 THE COURT: Yes, you may.

14 BY MR. BILKOVIC:

15 Q. Do you recall approximately how much money you received in
16 Canadian?

17 A. I want to say a hundred.

18 Q. If you don't, it's okay.

19 A. I don't remember exactly that amount. My mind is telling
20 me around 130 or 140,000 Canadian dollars, but I don't --

21 Q. Did you let Mr. Didani know how much you had received in
22 Canadian?

23 A. Yes, yes, absolutely.

24 MR. BILKOVIC: Okay. Can we bring up message 2255 in
25 Government's Exhibit 73.0, Page 108, and can we just zoom in on

1 the message part.

2 BY MR. BILKOVIC:

3 Q. Is this where you informed Mr. Didani as to how much you
4 had received?

5 A. Yes.

6 Q. And how much had you received in Canadian?

7 A. We received 147,410 Canadian dollars. Converted to USD is
8 \$111,760 at that time.

9 Q. So then what was done with that difference?

10 A. I'm sorry?

11 Q. So fair to say that Mr. Didani owed you an additional
12 \$36,000?

13 A. Yes.

14 Q. So what was done with that? How is that accounted for?

15 A. I explained to Mr. Didani that we still -- there was still
16 a balance due.

17 Q. Okay. So it was just added onto his balance?

18 A. Correct.

19 Q. Any issues with that?

20 A. No.

21 MR. BILKOVIC: Can we take that down.

22 BY MR. BILKOVIC:

23 Q. So where did you -- the person that dropped the money off
24 the first time, where did you meet them at?

25 A. I met them in front of the -- right in the front doors of

1 our office.

2 Q. And was it one person, two people?

3 A. No. It was two people.

4 Q. Okay.

5 A. What looked like a male and a female, middle-aged, in a
6 van, of Asian descent.

7 Do I explain how I --

8 Q. Did you talk to them at all?

9 A. Yes, I did.

10 Q. Did you go outside?

11 A. Yes.

12 Q. And did they come inside your building?

13 A. No, they didn't.

14 Q. So did you go to the vehicle that they were in?

15 A. Yes.

16 Q. And what happened when you got to their vehicle?

17 A. They asked to see the bill.

18 Q. Did you show it to them?

19 A. We did -- yes, I did.

20 Q. And what happened then?

21 A. And then they matched -- they took a look at their phone to
22 match the bill and opened their trunk and told me the bag's in
23 the back, take it.

24 Q. And what happened with the bill?

25 A. They kept it.

1 Q. Did you want them to keep it?

2 A. No.

3 Q. Why didn't you want them to keep it?

4 A. I collect funds from all over the world. It was a
5 Colombian peso that I -- it's more my collectibles. I didn't
6 think I'd have to give it to somebody.

7 Q. And so they took it from?

8 A. They took it from me.

9 Q. And what was in the trunk of the vehicle or the back of the
10 vehicle?

11 A. This denomination in plastic shopping bags.

12 Q. That we just saw in the photograph. Now, how many -- did
13 these people identify themselves?

14 A. They didn't.

15 Q. How many -- did you do any additional cash pickups in this
16 fashion?

17 A. Yes.

18 Q. Were they arranged with Mr. Didani?

19 A. Yes.

20 Q. How many did you do in addition to this one?

21 A. Three times.

22 Q. Three more or three total?

23 A. Three total.

24 Q. So two after this one?

25 A. Yes, sir.

1 Q. Were they done the same way where you would send basically
2 a photograph of a bill with a serial number?

3 A. Exactly.

4 Q. And who would you send that to?

5 A. Mr. Didani.

6 Q. And then after that would somebody contact you then to
7 basically arrange time and location for payment?

8 A. Yes, sir.

9 Q. And are those contained in the chats that we've already
10 admitted?

11 A. Yes.

12 Q. The other two times, where did you meet the people at?

13 A. Also at the front doors at INKAS.

14 Q. And were they the same -- so let's talk about the second
15 time. Were they the same people or a different person?

16 A. It was never the same person.

17 Q. Different people all three times?

18 A. Yes, sir.

19 Q. Did any of them ever identify themselves to you?

20 A. No.

21 Q. And overall in this case -- and an estimate's fine, but in
22 wires that you or INKAS received through Mr. Didani,
23 approximately -- for all those vehicles, approximately how much
24 did INKAS receive in wires?

25 A. I'd say a little over 600,000.

1 Q. A little over?

2 A. Wires, yes.

3 Q. So \$600,000 in United States funds?

4 A. USD, yes.

5 Q. And how much in the three cash payments approximately in
6 United States funds?

7 A. I would say about 200,000. \$200,000.

8 THE COURT: Did you say 200,000?

9 THE WITNESS: 200,000, yes.

10 BY MR. BILKOVIC:

11 Q. And is that an estimate?

12 A. It's an estimate, yes.

13 Q. Did Mr. Didani ever discuss with you either over the phone
14 or through text messages about moving money, about how he would
15 move money?

16 A. Sorry. Can you repeat the question.

17 Q. Did Mr. Didani ever discuss with you in text messages or
18 invoice messages about how he was moving money around?

19 A. He never explained to me how, no.

20 Q. Did he ever talk about it with you?

21 A. He says he has money in a lot of countries around the
22 world.

23 Q. And did he ever talk to you about rates that he would have
24 to pay to do that?

25 A. Yes, he did.

1 Q. Did you ever hear him refer to an individual by the name of
2 "Uncle"?

3 A. Yes.

4 Q. Or that he referred to as "Uncle"?

5 A. Yes, sir.

6 Q. And did he ever discuss with you the rate that he was being
7 charged to move money with people?

8 A. He sent me a screenshot of different rates that he gets
9 from different countries.

10 Q. Can we stay with Government 73.0. Can we go to Page 64,
11 message 989. And is this a message that Mr. Didani sent you on
12 May 28, 2020?

13 A. Yes.

14 Q. And what is the body of the message?

15 A. It says, "Chinese going crazy, bro."

16 Q. And can we go to the next message on the next page, which
17 would be Page 65 of Exhibit 73.0. It would be message 990.

18 Now, I don't want you to read the "F" word out loud,
19 but is this another one that Mr. Didani sent you?

20 A. Yes, sir.

21 Q. And does it say -- I'm going to paraphrase it -- "They
22 F'ing us with transfers"?

23 A. Exactly.

24 Q. And can we go to message 992 on the same page. And did
25 Mr. Didani follow that with a screenshot of text messages?

1 A. Yes.

2 Q. Can you look at Government's proposed Exhibit 73.24. Tell
3 me if you recognize that.

4 THE COURT: 73.24?

5 MR. BILKOVIC: Point 24.

6 THE WITNESS: Yes, I'm here.

7 BY MR. BILKOVIC:

8 Q. And what is that?

9 A. It's a screenshot of different countries where it looks
10 like rates that he would have percentages he'd have to pay.

11 Q. And is that an enlargement of the text message -- or the
12 screenshot of message 992?

13 A. Yes, sir.

14 MR. BILKOVIC: Your Honor, may I move to admit that
15 and publish it to the jury?

16 THE COURT: Yes, you may.

17 MR. FINK: Objection.

18 THE COURT: 73.24?

19 What's your objection?

20 MR. FINK: Hearsay.

21 THE COURT: Do you want to respond to that?

22 MR. BILKOVIC: Judge, this is coming from Mr. Didani.
23 It's an admission from a party opponent. He is sending text
24 messages as he is explaining to Mr. Daskal how basically rates
25 -- his rates are going up all over the world.

1 MR. FINK: It's a screenshot of text messages with
2 unknown discussion of people. The fact of him sending it is
3 one thing. The truth of what is in that text message is
4 hearsay.

5 MR. BILKOVIC: Judge, we're also going to follow with
6 a voice message where Mr. Didani talks about this verbatim.

7 MR. FINK: Once again --

8 MR. BILKOVIC: Hold on. I think we've also had
9 testimony, especially from Agent Willock, that basically to
10 take messages in encrypted phones you have to use another
11 device, which this is a photograph of. It is somebody holding
12 it. Mr. Didani is telling, explaining to Mr. Daskal how rates
13 are going up all over the world, how he's getting basically
14 screwed over on transfers, and this text message talks about
15 those rates.

16 MR. FINK: Again, my objection is just to this picture
17 and the truth of what's in this picture, that it is hearsay.
18 All of those -- that wonderful testimony I'm sure can be got in
19 a different way. I'm objecting that this can't be used that
20 way, that's all.

21 THE COURT: I don't know whether or not -- well, I
22 think your objection should be noted for the record. And I'm
23 going to overrule it, because I think that he can use it in
24 this way --

25 MR. FINK: Thank you.

1 THE COURT: -- based on the testimony that has been
2 presented so far relative to the conspiracy.

3 MR. FINK: Thank you, Judge.

4 THE COURT: It's admitted as 73.24.

5 (Government's Exhibit 73.24 received into evidence.)

6 MR. BILKOVIC: Thank you. May I publish it?

7 And can we go to the top half.

8 BY MR. BILKOVIC:

9 Q. Now, do you see a finger or a thumb on the left-hand side
10 holding this device?

11 A. Yes, I do.

12 Q. Okay. You do not know who's talking here; is that fair to
13 say?

14 A. Yes.

15 Q. And I don't want you to use the "F" word, but the top
16 message does it say, "Token prices gone F all world"?

17 A. Yes, it does.

18 Q. What does the next message say?

19 A. "UK to Dubai was 7."

20 Q. Next one?

21 A. "Now 11."

22 Q. Next one?

23 A. "Holland Dubai was 2, now it's 6."

24 Q. Can you go down to the bottom half.

25 A. "Holland ecu was 12, now 17. Holland Brazil was 6, now 12."

1 Yes rape LOL."

2 Q. And on the right-hand side, I don't want you to read them,
3 but is it apparent that the person in blue is not happy about
4 the rates?

5 A. Yes.

6 Q. After Mr. Didani sent you that photograph --

7 MR. BILKOVIC: If we could go to the next page,
8 Government's Exhibit 73.0, Page 66, message 993. Can we put
9 that up.

10 BY MR. BILKOVIC:

11 Q. And what did Mr. Didani text you on May 28, 2020?

12 A. Do you mind zooming it in just a little bit?

13 Q. After sending you the previous text message, what does he
14 text you?

15 A. "They want for their 18 percent from 9 use to be."

16 Q. And you were where? Where were you? What country were you
17 in?

18 A. In Canada.

19 Q. Mr. Didani ever send you messages about problems that he
20 was having with respect to transfers and shipping ports?

21 A. Yes.

22 THE COURT: Is that a question?

23 MR. BILKOVIC: Yes.

24 THE COURT: Okay.

25

1 BY MR. BILKOVIC:

2 Q. Can we go to Government's Exhibit 73.0, Page 67. And can
3 we go to message 1015. And again, is this an Opus message,
4 which is a voice message?

5 A. Yes, sir.

6 Q. And have you had an opportunity to review the voice
7 messages in this case prior to testifying today?

8 A. Yes, I have.

9 MR. BILKOVIC: Your Honor, at this time the Government
10 would move to admit Government's proposed Exhibit 73.25, which
11 is the voice message contained in message 1015.

12 THE COURT: Any objection?

13 MR. FINK: One moment, your Honor.

14 No objection, your Honor.

15 THE COURT: Very well. It's admitted.

16 (Government's Exhibit 73.25 received into evidence.)

17 MR. BILKOVIC: And may I play it to the jury?

18 THE COURT: You may.

19 (Video message played.)

20 BY MR. BILKOVIC:

21 Q. Can we go to the next page, 73.0, Page 68, message 1017.
22 And now this is a message that was sent on June 2nd of 2020?

23 A. Yes.

24 Q. And again, you listened to all the voice messages in this
25 case?

1 A. Yes, I have.

2 MR. BILKOVIC: Your Honor, at this time I would move
3 for admission into evidence of Government's proposed Exhibit
4 73.27, which is the voice message attached to message 1017.

5 THE COURT: Any objection to that?

6 MR. FINK: No objection.

7 THE COURT: All right. It's admitted.

8 (Government's Exhibit 73.27 received into evidence.)

9 MR. BILKOVIC: Can I publish it for the jury?

10 THE COURT: Yes, you may.

11 MR. BILKOVIC: Thank you.

12 (Video message played.)

13 BY MR. BILKOVIC:

14 Q. If you could turn for a moment to Government's Exhibit
15 74.0 -- I'm sorry. I'm going to put it up there. You don't
16 have to turn to it. Page 36, message 1191. And I know it's
17 tough for you to see that, but you've gone through this before;
18 correct?

19 A. I have.

20 Q. Now, this is a message that was sent to you by Mr. Didani
21 on March 2, 2021 in message 1191?

22 A. Yes.

23 Q. And do you see the photograph there?

24 MR. BILKOVIC: Can we zoom in on the photograph.

25 THE WITNESS: Yeah. Yes.

1 BY MR. BILKOVIC:

2 Q. Do you see that photograph?

3 A. I do.

4 Q. And could you look at Government's proposed Exhibit 74.22.

5 A. I'm here.

6 Q. I'm sorry?

7 A. I'm here, yes.

8 Q. And do you recognize that?

9 A. Yes. This is a screenshot of Mr. Didani and what he
10 claimed to be his Chinese partner.

11 Q. And is that an enlarged version of the photograph in
12 message 1191 that we just showed the jury?

13 A. Yes, sir.

14 MR. BILKOVIC: Your Honor, at this time I would move
15 for admission into evidence of Government's proposed Exhibit
16 74.22.

17 THE COURT: 74.22. Mr. Fink, any objection?

18 MR. FINK: One moment, your Honor.

19 No objection.

20 THE COURT: It's admitted as 74.22.

21 (Government's Exhibit 74.22 received into evidence.)

22 MR. BILKOVIC: And may I publish it to the jury?

23 THE COURT: You may.

24 MR. BILKOVIC: And can we zoom in on the top half.

25

1 BY MR. BILKOVIC:

2 Q. Do you recognize the person there?

3 A. Yes.

4 Q. Who is that?

5 A. That's Mr. Didani.

6 MR. BILKOVIC: Can we go to the first one on the
7 bottom half.

8 BY MR. BILKOVIC:

9 Q. Do you know who that person is?

10 A. Never met him.

11 Q. Were you ever on a call or a conversation with him and
12 Mr. Didani?

13 A. Yes, I have been.

14 Q. How did that come about?

15 A. When I -- we were waiting on funds. I believe it was the
16 fact that it was Canadian currency and not U.S. dollars; I
17 explained to Mr. Didani that we had an agreement that it would
18 be U.S. dollars. And he would put the gentleman on the phone
19 every once in awhile. It was, I believe, two or three times
20 total.

21 Q. Would it be a video thing like this where you could see the
22 person?

23 A. Yes.

24 Q. Can we go to exhibit -- back to Exhibit 73.0, Page 96, item
25 2 -- or message 2028. And is this a photograph that Mr. Didani

1 sent you on August 12th of 2020?

2 A. Yes, it is.

3 Q. Can you look at Government's proposed Exhibit 73.42 and
4 tell me if you recognize that?

5 A. I'm sorry. You said 43?

6 Q. Government's Exhibit 73.42.

7 A. 42. I'm here.

8 Q. And do you recognize that?

9 A. Yes, I do.

10 Q. And is that basically an enlarged version of that
11 photograph?

12 A. Yes, it is.

13 MR. BILKOVIC: Your Honor, at this time I would move
14 for admission into evidence of Government's proposed Exhibit
15 73.42.

16 THE COURT: Any objection?

17 MR. FINK: One moment, your Honor.

18 No objection.

19 THE COURT: It's admitted as 73.42.

20 (Government's Exhibit 73.42 received into evidence.)

21 MR. BILKOVIC: And may I publish it to the jury?

22 THE COURT: You may.

23 MR. BILKOVIC: Can we zoom in on the -- starting -- go
24 lower, lower, down to the bottom of the note. Right there.

25

1 BY MR. BILKOVIC:

2 Q. And what are you looking at here?

3 A. It's a screenshot of a lot of euros in what looks to be in
4 a safe.

5 Q. Bulk currency?

6 A. Bulk currency, yes.

7 Q. And is there a note attached to it?

8 A. Yes, there is.

9 Q. Can you read the note, the first line of the note?

10 A. Sure. It's the date 31/3/2020. Underneath he writes,
11 "PML" in capital letters, "coronavirus, cash."

12 Q. And could we to the message -- the next page 73 point --

13 And you said these are euros?

14 A. What looks to be euros, yes, sir.

15 Q. Can we go to the next, Page 73 -- Exhibit 73, Page 97,
16 message 2031. And is this a message from Mr. Didani after he
17 sent you that photograph?

18 A. Yes, it is.

19 Q. And what does it say?

20 A. "80 mill."

21 Q. Can I move you back to Government's Exhibit -- actually,
22 we'll stay with this exhibit.

23 Did Mr. Didani ever send you information about any
24 cocaine seizures?

25 A. He sent me a link once of a seizure in Scotland.

1 Q. Can we go to 73.0, Page 118, and could we go to the bottom
2 message, message 2417. Is this the message that you're talking
3 about?

4 A. Yes. Looks like a link right above that, yes.

5 Q. And the date on this was ...

6 A. September 23, 2020, yes.

7 MR. BILKOVIC: Okay. And can we go back in on the
8 link -- or can we just enlarge the body, just zoom in on the
9 body.

10 BY MR. BILKOVIC:

11 Q. And what does this appear to be?

12 A. It's an article from National Crime Agency, a UK-based
13 government website talking about a seizure of a hundred million
14 dollars of cocaine at the port.

15 Q. In Dover?

16 A. I'm sorry?

17 Q. Do you see "Dover" at the bottom?

18 A. In Dover, yes, I see that.

19 Q. And if we can go to the next page, 73.119. I'm sorry --
20 yeah, 73, Page 119. Can we go to the top message, 2418. And
21 after Mr. Didani sent that to you did he follow it with a text
22 message?

23 A. Yes.

24 Q. And what was the text message?

25 A. "You get the chills."

1 THE COURT: I'm sorry?

2 THE WITNESS: "You get the chills."

3 BY MR. BILKOVIC:

4 Q. Now, can we go to message -- Exhibit 74.0 -- I'm sorry,
5 Exhibit 74.0. Can we go to Page 3. And can we go to message
6 221. And is this a message from you to Mr. Didani?

7 A. Yes, it is.

8 Q. And what is the date?

9 A. The date is November 23, 2020.

10 Q. And what do you say to him?

11 A. "How was your weekend?"

12 Q. Can we go to the next message, message 221 on the same
13 page. 221. I'm sorry. 221 -- I'm sorry. 222, on the same
14 page. And how does Mr. Didani respond?

15 A. "Very bad brother."

16 Q. Can we go to the next page, Page 4 of Exhibit 74.0. Can we
17 go to the middle message, message 224. And what does
18 Mr. Didani say?

19 A. Do you mind zooming in just a little bit, please? Thank
20 you.

21 "My partner, Loma, got to big fight in restaurants
22 drunk."

23 Q. And how did he spell Loma?

24 A. It could be an I. That's how I read it.

25 Q. Let's go back to it.

1 A. It could be either a capitalized I or lower case L.

2 Q. So either a capital case I or lower case L?

3 A. Yes.

4 Q. And, if it was a lower case L, that would be Loma?

5 A. Loma.

6 Q. Had you ever heard of Loma before?

7 A. Never.

8 Q. Mr. Didani described him here as his partner?

9 A. Yeah.

10 Q. Now, how many vehicles total were shipped?

11 A. Shipped were -- four total vehicles were shipped. Three of
12 them were received by Mr. Didani.

13 Q. What countries?

14 THE COURT: Three of them were what?

15 THE WITNESS: Were received by Mr. Didani. The fourth
16 one was not.

17 BY MR. BILKOVIC:

18 Q. I'm sorry. You have to talk louder or in the microphone.
19 You're trailing it.

20 A. Sorry about that.

21 Q. That's okay.

22 A. Three vehicles were shipped to the Dominican and one
23 vehicle was shipped to Ecuador.

24 Q. Now, you said a -- one of them -- three of them were
25 received by Mr. Didani?

1 A. Yes, sir.

2 Q. One was not?

3 A. Correct.

4 Q. What happened with that vehicle?

5 A. It was stuck at the Port in Guayaquil, Ecuador. At the
6 time we were -- you know, nobody was claiming the port --
7 claiming the container. There's a bill of lading that somebody
8 needed to claim the container, present to the port, and no one
9 was doing it. I was trying to contact Mr. Didani often and
10 wasn't getting a response.

11 Q. And did you come to learn that the reason he wasn't
12 responding to you is he had been arrested on March 31, 2021?

13 A. I found out later down the road, yes.

14 Q. Now, in April of 2021, were you traveling from Canada to
15 Florida?

16 A. Yes, I was.

17 Q. And did you have a layover?

18 A. I did.

19 Q. And where was the layover?

20 A. In Chicago O'Hare.

21 Q. And on that layover were you approached by United States
22 law enforcement?

23 A. Yes, I was.

24 Q. Was Agent Hermans one of the people that approached you?

25 A. Yes, he was.

1 Q. And did they ask you questions about suspicious vehicle
2 sales?

3 A. They did.

4 Q. Without mentioning a name, did you have an idea of who they
5 were talking about?

6 A. Right away.

7 Q. And did you tell them that?

8 A. I did.

9 Q. And who was that person?

10 A. Lou Didani, Mr. Didani.

11 Q. And did you tell them what happened?

12 A. I did.

13 Q. And once you were done with that interview did you leave
14 and connect to your flight?

15 A. I did.

16 Q. Did you subsequently retain an attorney in this case?

17 A. I did.

18 Q. And did you agree to meet with the Government after that?

19 A. Absolutely, yes.

20 MR. BILKOVIC: May I have one moment, your Honor?

21 THE COURT: Yes.

22 (Briefly off the record.)

23 MR. BILKOVIC: Nothing further.

24 THE COURT: Cross-examine.

25 MR. FINK: I just need a moment to get myself

1 situated, Judge.

2 THE COURT: Hold one second.

3 MR. FINK: Did you say something to me, Judge? Did
4 you say "hold on"?

5 THE COURT: Not yet. Okay.

6 MR. FINK: Okay.

7 THE COURT: You said to wait a minute; right?

8 MR. FINK: I asked for a minute, but then I --

9 THE COURT: Then you changed your mind and went
10 straight to the podium.

11 MR. FINK: Well, this is part of my minute.

12 THE COURT: Okay. Approach at sidebar, counsel.

13 MR. FINK: Yes, Judge.

14 (At 3:11 p.m., sidebar off the record.)

15 THE COURT: Okay. Cross-examine.

16 My jurors are okay; right?

17 Oh, that's a thumbs up, okay.

18 JUROR: We just have a question. Could we use the
19 sidebar time for a stretch?

20 THE COURT: If you want to. Do you want to stretch
21 now?

22 JUROR: I'm just asking.

23 THE COURT: But you can stretch now if you want to.

24 Go ahead. Everybody stretch. People at the tables stretch in
25 solidarity, please.

1 Do you need a stretch?

2 THE WITNESS: I'm good.

3 MR. FINK: You could do an aerobics video or
4 something.

5 THE COURT: No, no, no, no.

6 All right. Go ahead, please.

7 MR. FINK: Thank you, your Honor.

8 CROSS-EXAMINATION

9 BY MR. FINK:

10 Q. Mr. Daskal, we met briefly, but my name is Wade Fink. I
11 represent Mr. Didani. I'm just going to ask you some follow-up
12 to your conversation with the Government.

13 Mr. Daskal, INKAS is a family business; right?

14 A. Yes.

15 Q. It's your family; right?

16 A. It is.

17 Q. Give me a little background. Who started the company?

18 A. It was started in the mid '90s by my mother and my
19 stepfather.

20 Q. And was it always your plan to be part of INKAS or is it
21 like any family business, you resist and then you're in, like
22 me? My dad was a lawyer.

23 A. Yeah, yeah. I started -- I reluctantly took my time away
24 from the family business for a while, working in other places
25 and then, of course, you know, an opportunity came forward and

1 I took it.

2 Q. Is this still your business?

3 A. It's not my business.

4 Q. Well, is this still your work?

5 A. Yes, it is.

6 Q. Okay. What's your title in the company now?

7 A. VP. Vice president of sales and business development.

8 Q. It's still owned by your family or is it owned by --

9 A. It is, yes.

10 Q. And since the '90s; right?

11 A. Mid '90s.

12 Q. So 30-plus years in business?

13 A. (Nod.)

14 Q. Yes?

15 A. Yes.

16 Q. And developed -- I'm going to ask you to brag about your
17 company a little, but you developed a very good reputation for
18 what you do; correct?

19 A. We have.

20 Q. You've got news articles written about you; right?

21 A. Yes, sir.

22 Q. A lot of clientele from varying backgrounds; right?

23 A. Yes.

24 Q. You have government contracts; right?

25 A. We do.

1 Q. You provide armored vehicles and safe vehicles that are
2 safe for travel in foreign countries for governments and
3 dignitaries; right?

4 A. Yes, sir.

5 Q. That includes everyone from presidents and secretaries of
6 states and similar from many different countries; right?

7 A. From government bodies, yes.

8 Q. And -- I mean, in fact, the only one I know about, I'm sure
9 there's a lot of very cool stories, but there was a Nigerian
10 dignitary who was attacked and saved by being in one of your
11 vehicles; correct?

12 A. That's correct.

13 Q. And you provide vehicles, I presume, to a host of other
14 private people as well; right?

15 A. We do have private sales as well, yes.

16 Q. Wealthy individuals?

17 A. Correct.

18 Q. Who may live in areas that require some extra security?

19 A. Yes, sir.

20 Q. Perhaps celebrities in -- whether United States, Canada or
21 otherwise; right?

22 A. Yes, sir.

23 Q. There's a varied need for armored vehicles or extra
24 protection; right?

25 A. I'm sorry?

1 Q. There's a varied need for extra protection in your vehicle;
2 correct?

3 A. Yes.

4 Q. I mean, that could be just from being, you know, known to
5 be wealthy and need to be protected; right?

6 A. Correct.

7 Q. Or living in a dangerous area; right?

8 A. Correct.

9 Q. Your business' reputation -- this might seem obvious, but
10 your reputation is important to getting future clients; right?

11 A. A hundred percent.

12 Q. The company obviously would prefer not to be tied into some
13 drug conspiracy; correct?

14 A. You're right.

15 Q. It certainly wouldn't enter into a drug conspiracy
16 intentionally; right?

17 A. Correct.

18 Q. And when I say you, I mean you personally, Philip Daskal;
19 right?

20 A. Correct.

21 Q. But also, as an agent of the company, INKAS would not want
22 to do that either; right?

23 A. Yes, sir.

24 Q. And you wouldn't do that; right?

25 A. I wouldn't.

1 Q. Now, when you were approached by federal agents in the
2 airport in Chicago, I believe that was April of 2021, scary
3 thing to face, is it not?

4 A. It was.

5 Q. And you're being confronted with this information and kind
6 of having an epiphany, for lack of a better term, in your own
7 head about, you know, what's being really going on; right?

8 A. Yes, sir.

9 Q. Just because you're putting it together, because you're
10 being faced with federal agents, doesn't mean you knew anything
11 during the process; right?

12 A. Correct.

13 Q. But at the same time, I presume, I haven't been in that
14 situation, knock on wood, I presume you're also worried about
15 self-preservation and your own safety; right?

16 A. Absolutely.

17 Q. Are they going to think I did something; right?

18 A. Yes.

19 Q. Do you remember that -- you may not remember specifics, but
20 do you remember generally giving, you know, a conversation or
21 an interview to those agents at the airport?

22 A. I do.

23 Q. Okay. And you remember telling the agents that you thought
24 that Didani might have been in something like logistics or
25 crypto? Do you remember that?

1 A. Yes.

2 Q. Okay. You have a lot of clients, I presume, that have
3 obtained crypto wealth; correct?

4 A. I have -- we don't accept crypto. So I mean more on the
5 logistics' side was more my belief, yeah.

6 Q. Sure. I guess I should -- I ask it in a way that you're
7 often dealing either with, whether it's private or government,
8 some sort of wealth; correct?

9 A. Correct.

10 Q. And a new age of wealth has been crypto; correct?

11 A. Yes.

12 Q. Between April of 2021, when you were stopped at the
13 airport, and then a meeting that you had in November of 2021,
14 did you have -- and I should accept one more thing. Any
15 conversation you've had in this courthouse.

16 A. I'm sorry?

17 Q. Any conversation you've had in this court, excluding that,
18 have you had any other meetings with the Government besides the
19 scenarios I just described?

20 A. No.

21 Q. So there was the airport; right?

22 A. Yes.

23 Q. And then there was another meeting in 2021 that you told
24 the Government you really didn't want to be involved; right?

25 A. Well, I explained -- I told them what I'm telling you

1 today.

2 Q. So November 10th of 2021, you remember meeting with Agent
3 Hermans?

4 A. I do.

5 Q. And there was a couple other agents. There was Detective
6 Leach and Agent Newsome, Mr. Bilkovic and Mr. McDonald?

7 A. Yes.

8 Q. And you also had your attorney, Mr. Hurford; right?

9 A. Correct.

10 Q. And you were in Detroit for that meeting?

11 A. I was.

12 Q. You were or you --

13 A. I was. I was in Detroit, yes.

14 Q. And, correct me if I'm wrong, is it true when the agent
15 writes that "Daskal stated he did wish to cooperate in the
16 investigation, however, wanted to confirm some dates before
17 making any further statements"; is that accurate?

18 A. I don't recall, but, yes, sounds ...

19 Q. "Daskal stated he would obtain this information and provide
20 it to investigators via his attorney at a later date."

21 Is that accurate about that meeting?

22 A. Yes, it is.

23 Q. So that specific meeting, was there any substantive
24 conversation or was it I'll get back to you?

25 A. No, there was substantive conversation.

1 Q. Okay. So there was more than just I'll get back to you in
2 that discussion?

3 A. Yes.

4 Q. Do you know if that interview was recorded?

5 A. I don't remember.

6 Q. Okay. Do you remember if agents were taking notes?

7 A. I was -- my adrenaline was like up to there.

8 Q. I get it.

9 A. So I didn't really pay attention to that.

10 Q. I get it. If you're putting yourself in that situation and
11 you're trying to envision, you don't remember a recorder or
12 anyone taking notes?

13 A. There was a long table, a bunch of agents. I'm sure there
14 was a pad of paper in front of them. I don't -- personally, I
15 don't recall it, though. I can't see it in my head.

16 Q. Okay. But you said more than those two sentences I read to
17 you in that conversation?

18 A. I said more than two sentences?

19 Q. Two sentences that I read to you, you said more than that
20 in that conversation?

21 A. Yes.

22 Q. Okay. How long was that meeting would you say?

23 A. It was about under an hour, maybe an hour.

24 Q. Okay. Have you ever received any correspondence from the
25 Government, something in writing? When I say correspondence, I

1 don't necessarily mean a formal letter, but anything that was
2 given to your attorney or you by the Government indicating how
3 they viewed you in the context of the case as a witness, as a
4 target, as someone who's going to be charged? Anything like
5 that?

6 A. I never received anything.

7 Q. Did you ever enter into any sort of agreement with the
8 Government that in exchange for cooperating, testifying, the
9 Government would do X, Y and Z?

10 A. No, sir.

11 Q. Okay. Are you aware that the Government was very
12 suspicious of your conduct?

13 A. I would assume so, yes.

14 Q. Well, did they tell you that?

15 A. They were asking me questions. My mind was everywhere.

16 Q. Those questions intimated that they had suspicions; right?

17 A. They had similar questions about the cash and the cash
18 receipts and the wire receipts.

19 Q. Are you aware if agents or prosecutors or anyone associated
20 with the federal government in this case approached leadership
21 executives -- I'm using those titles -- your parents or anyone
22 at that company, INKAS?

23 A. Yes.

24 Q. They did?

25 A. Yes.

1 Q. Okay. In fact, there was a discussion about the money that
2 was paid allegedly from Mr. Didani and whoever else to INKAS?
3 There was a conversation between INKAS and the Government about
4 that topic; right?

5 A. Yes, sir.

6 Q. And --

7 THE COURT: Meaning the United States government?

8 MR. FINK: Yes.

9 BY MR. FINK:

10 Q. The federal government had a conversation with INKAS
11 through attorneys?

12 A. Through attorneys, yes.

13 Q. About the funds that were received allegedly at the
14 direction of Mr. Didani; right?

15 A. I believe so. I wasn't in any of these conversations.

16 Q. So you weren't actually personally in those discussions,
17 but are you aware of them happening?

18 A. I'm aware of them happening, yes.

19 Q. Okay. Are you aware that the federal government asked
20 INKAS to forfeit \$800,000 to the federal government?

21 A. I -- I'm aware of it, yes. I was told from INKAS that.

22 Q. Do you know, in fact, INKAS did pay the federal government
23 \$800,000 as a forfeiture penalty?

24 A. I don't know a hundred percent. I'm sorry.

25 Q. When you say you don't know a hundred percent, is that

1 something that is familiar to you, that you've heard around the
2 office?

3 A. Well, it's not something that we discuss around the office
4 either, right. It's just between probably the owners and the
5 legal team.

6 Q. How about this, do you know, Mr. Daskal, yourself, have
7 personal knowledge, however you might know it, if there was a
8 sum of money paid from INKAS company to the federal government
9 as a forfeiture?

10 A. I believe so, like from my head, yes.

11 Q. Understood. You might not know exactly how much?

12 A. Correct.

13 Q. It was a significant amount, wasn't it?

14 A. I would assume so, yes.

15 Q. And, correct me if I'm wrong, but when the federal
16 government says to you or your company, you as an agent of your
17 company, you have nearly a million dollars of drug money, give
18 it back, there's some pressure to do so, is there not?

19 A. I would assume so, yes.

20 Q. The company doesn't want to get indicted, does it?

21 A. No.

22 Q. You don't want to get indicted, do you?

23 A. Definitely not, no.

24 Q. And when I ask you this next question, I'm not blaming you.
25 I might do the same thing. But when you're asked to cooperate

1 your inclination is to say yes so you won't get in trouble;
2 right?

3 A. Yes.

4 Q. If indeed INKAS or you were charged with some sort of crime
5 or some sort of conspiracy as it relates to what they at this
6 table believe happened here, that would have a bad impact on
7 your ability to get work, would it not?

8 A. Yes.

9 Q. You know your client base; right?

10 A. I do.

11 Q. And you've developed relationships with them; right?

12 A. Absolutely.

13 Q. They would probably hesitate to do business with someone
14 accused of being involved in an international drug
15 organization; right?

16 A. Absolutely.

17 Q. You are incentivized to do what is possible to avoid that;
18 right?

19 A. What do you mean by "incentivized"?

20 Q. You don't want to get charged with a crime; right?

21 A. I don't.

22 Q. And you will do what is necessary to not get charged with a
23 crime; right?

24 A. Sure.

25 Q. I'm not saying anything other than --

1 A. Yes, yes, yes.

2 Q. -- what you can do?

3 A. No.

4 Q. You have children; right?

5 A. Thank God.

6 THE COURT: I'm sorry?

7 THE WITNESS: Thank God. Yes, I do.

8 BY MR. FINK:

9 Q. Would you have put yourself in a situation where you
10 believed that you were somehow involved in the allegation that
11 you now know the Government is making against my client?

12 A. Can you repeat the question?

13 Q. Would you have continued the business relationship? Would
14 you have put yourself in a situation where you knew or believed
15 to be happening what the Government is accusing my client of
16 doing?

17 A. No.

18 Q. You do business in quite a few countries; right?

19 A. Yes, sir.

20 Q. Azerbaijan? I might be saying it poorly.

21 A. Azerbaijan. We had a couple contracts previously.

22 Q. Canada?

23 A. Yes.

24 Q. Mexico?

25 A. Yes.

1 Q. Chile?

2 A. Yes.

3 Q. Ukraine?

4 A. Yes.

5 Q. Israel?

6 A. Yes.

7 Q. Indonesia?

8 A. Yes.

9 Q. Malaysia?

10 A. Yes.

11 Q. Nigeria?

12 A. Yes.

13 Q. Philippines?

14 A. Yes.

15 Q. Peru?

16 A. Yes.

17 Q. European Union countries?

18 A. Yes.

19 Q. Russia?

20 A. No.

21 Q. Austria?

22 A. No.

23 Q. Bahrain?

24 A. No.

25 Q. Switzerland?

1 A. No.

2 Q. These last ones that I'm getting to, do you have a sister
3 company or a company that you work with on contracts in those
4 countries?

5 A. No. I'm just talking about actual physical sales that went
6 to those clients. I mean, there's prospects all around the
7 world, of course, but I'm talking about closed deals.

8 Q. Spain?

9 A. Yes.

10 Q. And recently, I believe -- or I guess correct me if I'm
11 wrong, you have an office in the United States as well?

12 A. We do.

13 Q. Is that recent?

14 A. It's four years old.

15 Q. What year did that office open?

16 A. 2021.

17 Q. After?

18 A. After.

19 Q. Mr. Didani had been arrested; right?

20 A. Yes, sir.

21 Q. Miami?

22 A. Miami.

23 Q. Is that where you are currently?

24 A. I am.

25 Q. All right. All of the business that you conducted with

1 Mr. Didani was outside the continental USA; correct?

2 A. Any communication was through phones. I didn't know where
3 he was --

4 Q. That's a bad question. Let me break it down for you.

5 You at the time, your business and you personally,
6 were located in Canada; correct?

7 A. Correct.

8 Q. Yes?

9 A. Yes.

10 Q. And, at least from what you knew, Mr. Didani was either in
11 the Dominican or overseas or in countries foreign to the United
12 States; correct?

13 A. Yes.

14 Q. Okay. Your sales to Mr. Didani, the actual physical items
15 that ever got delivered or any business that you did, those
16 items were delivered to foreign countries; correct?

17 A. Yes, sir.

18 Q. Did any items get delivered to Michigan?

19 A. Not that I'm aware of.

20 Q. Did you have any contact that you know of with anyone in
21 Michigan?

22 A. In relation to Mr. Didani, no.

23 Q. I'm totally talking about Mr. Didani that you're aware of.

24 Do you know of anyone in Michigan that you dealt with related
25 to Mr. Didani?

1 A. I don't.

2 Q. Okay. Are you aware of anyone in the United States that
3 you dealt with related to Mr. Didani?

4 A. I don't remember.

5 Q. If you know.

6 A. I believe -- I don't.

7 Q. You don't think you did?

8 A. Yeah, I don't think I did.

9 Q. And I want to be precise about this, because on direct
10 examination you said something about wire transfers and United
11 States dollars. Remember that?

12 A. Yes.

13 Q. When you were saying United States dollars, you were giving
14 the value in United States dollars; correct?

15 A. Correct.

16 Q. You never actually dealt in USD with Mr. Didani; is that
17 accurate?

18 A. Can you rephrase the question maybe?

19 Q. Sure. The cash that he gave you was never United States
20 dollars; correct?

21 A. I believe once it was United States dollars.

22 Q. You never saw any pictures of that, though?

23 A. No.

24 Q. Okay. But you're saying you recall there was one time in
25 United States dollars?

1 A. I believe so, yeah.

2 Q. The wire transfers, those were in CAD, or Canadian dollars;
3 correct?

4 A. They were in USD and CAD.

5 Q. So when we say -- I just want to -- I guess what I'm saying
6 is when you say U.S. dollars, you are saying the value in U.S.
7 dollars regardless of the currency that the transfer came in;
8 right?

9 A. Yes.

10 Q. Okay.

11 THE COURT: Do you know whether or not the wire
12 transfer was in U.S. dollars or Canadian dollars?

13 THE WITNESS: I do.

14 THE COURT: Which one was it?

15 THE WITNESS: They were both. They were different
16 wire transfers, one in Canadian and the rest in United States.

17 THE COURT: So it wasn't just a U.S. dollars
18 equivalent, it was actual a wire transfer of U.S. dollars?

19 THE WITNESS: Yes.

20 THE COURT: Okay. I'm sorry. The same rule applies
21 about me asking questions.

22 MR. FINK: Excellent question, Judge. It's an
23 excellent question.

24 THE COURT: That doesn't mean you don't object to it.

25 MR. FINK: I have no objection.

1 THE COURT: Okay.

2 BY MR. FINK:

3 Q. Mr. Daskal, as I look through the documents here, I see
4 euros and I see Canadian dollars. You're telling me you
5 specifically recall United States dollars being a transaction?

6 A. Yes.

7 Q. In all those countries that I listed and the business that
8 you've done, have you ever been called to testify related to
9 any cases regarding these vehicles or sales?

10 A. Never.

11 Q. No other country has called you to testify?

12 A. Never.

13 Q. The Ecuadorian government hasn't called you to testify
14 about the cars you delivered for their government officials?

15 A. No. And they were law enforcement vehicles.

16 Q. Law enforcement, police?

17 A. Yeah.

18 Q. Same with the Nigerian government; correct?

19 A. Correct.

20 Q. Even after the Boko Haram attack, or whatever that was,
21 never called you to testify?

22 A. No, sir. This is the first time we've ever been called to
23 testify.

24 Q. The Government talked a lot to you about the cash
25 transactions. Do you recall that?

1 A. Yes.

2 Q. And I believe there was a suggestion that you agreed with,
3 and correct me if I'm wrong, this is what my notes are, that it
4 was Mr. Didani that suggested cash. Is that your recollection?

5 A. Yes.

6 Q. Okay. Do you recall a time when Mr. Didani actually said
7 no more cash?

8 A. Do I recall a time that he said no more cash?

9 Q. That he was going to stop doing cash --

10 A. Yes, I do.

11 Q. Okay. In fact, he said, "Not doing this cash no more,
12 brother." Do you remember that?

13 A. Yes.

14 Q. Okay. He says, "Better banks," quote/unquote, better banks
15 as in better to use banks. Do you remember that?

16 A. Yes.

17 Q. Okay. Doing things by bank and wire transaction, it
18 creates a paper trail, doesn't it?

19 A. Yes, it does.

20 Q. Whereas cash, a nefarious, dark, you know, delivery that
21 the Government describes this, would be in an effort to be
22 harder to trace; right?

23 A. Yes.

24 Q. So someone who is suggesting no more cash, but better to do
25 banks, is making it more transparent that there's a transaction

1 of some kind; correct?

2 A. I would believe so. Throughout our communication, I was
3 always saying let's do wire transfers, you know.

4 Q. I don't think you were doing anything to suggest it. I'm
5 saying Mr. Didani -- the suggestion by the Government to you
6 that he was asking to do cash also should be given complete
7 context. And I'm asking you, you remember he actually asked
8 you to do more bank transactions afterwards; right?

9 A. Yes.

10 Q. "No more cash, bro"?

11 A. Yes, I remember that.

12 Q. Do you remember the message where he said he's scared of
13 the USA?

14 A. Yes, yes.

15 Q. Mr. Didani with you went through great lengths to avoid
16 connection to the United States, did he not?

17 A. I don't know about great lengths. He just said it's easier
18 to transfer money in Canada.

19 Q. Well, what did you take it to mean when he said, "I'm
20 scared of the USA"?

21 A. I took his answer. I didn't think anything of it.

22 Q. The cash drops that you described, Mr. Daskal, those took
23 place only in Canada; correct?

24 A. Yes.

25 Q. Okay. Never in Michigan?

1 A. Never.

2 Q. Never in the United States?

3 A. Never.

4 Q. What were the period of time -- you don't have to give me
5 months, but years -- that you were dealing with Mr. Didani?

6 A. Basically one year, one full year.

7 Q. 2020?

8 A. 2020. March 2020 to March 2021.

9 Q. March '20 to March 2021, did you ever come to the United
10 States in that time?

11 A. I probably have, yes.

12 Q. For business?

13 A. Yes.

14 Q. Ever related to Mr. Didani?

15 A. No, not once.

16 Q. Did Mr. Didani ever show you by text message or in person
17 or in any capacity pictures of cocaine?

18 A. No.

19 Oh. Through that article. Only through that article
20 there was a picture --

21 Q. Sent you a link about a cocaine seizure?

22 A. Yes.

23 THE COURT: Do you recall when that was?

24 THE WITNESS: I don't recall. I can --

25 THE COURT: Do you know what seizure it was, what it

1 was?

2 THE WITNESS: Yeah. It was a seizure in Scotland for
3 -- in Dover, I believe.

4 BY MR. FINK:

5 Q. Do you remember what year that occurred?

6 A. I don't. I'm sorry.

7 Q. We've seen the text messages. That's all right.

8 Mr. Didani ever ask you to do anything with drugs?

9 A. No.

10 Q. He ever ask you to put drugs in the armored cars somewhere?

11 A. Never.

12 Q. That he was buying the armored cars to protect him from his
13 dealings in the drug world?

14 A. To protect him, but nothing about the drug world.

15 Q. Related to dangers of the drug world, or something like
16 that?

17 A. No, he never specifically said anything like that.

18 Q. Did you ever sell any drugs for Mr. Didani?

19 A. Never.

20 Q. You guys developed a sort of personal relationship, did you
21 not?

22 A. We did.

23 Q. You were having an issue with a business name in Dubai. Do
24 you remember that?

25 A. Yes, I do.

1 Q. Mr. Didani tried to use one of his contacts and lawyers out
2 there to try to help you; right?

3 A. Correct.

4 Q. From what you observed of Mr. Didani, he was generous with
5 the people around him; correct?

6 A. Yes.

7 Q. Kids in poor countries; right?

8 A. Yes.

9 MR. BILKOVIC: Objection, relevance.

10 THE COURT: How is it relevant?

11 MR. FINK: A lot of this, Mr. Bilkovic's entire direct
12 examination of a lot of these witnesses, is how actions that
13 are otherwise legal are somehow nefarious. So I'd like some
14 actions that suggest otherwise, Judge.

15 THE COURT: All right. Overruled.

16 You may answer. Was he generous with kids in poor
17 countries?

18 THE WITNESS: Yes, he was.

19 BY MR. FINK:

20 Q. You feel he was someone you could ask to help you with
21 something?

22 A. To help me with something. I mean, personally probably --
23 I mean, I never met Mr. Didani, but we developed a pretty
24 strong relationship over the phone. So we talked very openly.

25 Q. Do you remember that screenshot me and Mr. Bilkovic argued

1 about, we put up about the rates up there?

2 A. Yes.

3 Q. Did you notice, correct me if I'm wrong, that none of them
4 said anything about the United States, correct, currency?

5 A. I can take a look, but I don't remember.

6 Q. Yeah, let's take a look.

7 MR. FINK: Ms. DiCarlo, could you help me out with
8 73.24? I'm grateful. Thank you.

9 BY MR. FINK:

10 Q. You remember looking at this; right?

11 A. Yes.

12 Q. UK to Dubai, the percentage allegedly going up, Holland,
13 Dubai, Holland to ECU, Holland, Brazil. Do you see all those?

14 A. Yes, I do.

15 Q. No mention of the U.S.; right?

16 A. No, sir.

17 MR. FINK: Thank you very much, Ms. DiCarlo.

18 BY MR. FINK:

19 Q. Did agents ever ask you for access to your cellular phone?

20 A. Yes.

21 Q. Did you give it to them?

22 A. Yes.

23 Q. Okay. Did they take a copy of it?

24 A. Yes.

25 Q. Was it -- do you remember the context in which you did

1 that?

2 A. How it happened?

3 Q. Yeah, like when and who asked and the details.

4 A. Yeah. It was, I want to say, maybe a week or two after I
5 was -- after I returned back from Florida after my stop in
6 Chicago.

7 Q. Okay.

8 A. They -- I was given an address in downtown Toronto where to
9 provide my cell phone for them to extract.

10 Q. So, if you were stopped April of 2021, about sometime May,
11 June or so, you were contacted again?

12 A. I'll be honest. I don't remember how it happened, but I
13 remember I had to go to downtown Toronto to give my phone.

14 Q. So there was -- and I know this may have been just
15 forgotten, so I'm not saying you're omitting anything, but
16 there was some other interaction after your stop at the O'Hare
17 Airport before November with law enforcement; right?

18 A. Well, my mind is leaning on probably our attorneys probably
19 told --

20 Q. I see.

21 A. -- the executives at INKAS.

22 Q. Understood.

23 A. I believe so. Again, I'm so sorry, I don't remember.

24 Q. Don't apologize, and I don't think you did anything wrong.
25 I just want to clarify what I do and don't know.

1 Your phone, you were asked by your lawyer to go into
2 the police station, or you were informed by somebody to go take
3 it --

4 A. Informed by somebody.

5 Q. And you went to a police station?

6 A. It wasn't a police station.

7 Q. What was it?

8 A. It was some sort of office basically that I gave my phone.
9 He had some sort of system on his -- on a program. I had to
10 leave my phone with him for about a week, and in the meanwhile
11 he was extracting all the copies from --

12 Q. Was it a government agent?

13 A. It may have been contracted by the government.

14 Q. Okay. A Canadian official?

15 A. Canadian.

16 THE COURT: Was it in a government building?

17 THE WITNESS: It wasn't in a government building, no.

18 THE COURT: Sorry, Mr. Fink. Go ahead.

19 BY MR. FINK:

20 Q. You believe it was a government building? Was that the --

21 A. I don't believe it was a government building.

22 Q. You don't believe it was, okay. Is it possibly you were
23 asked by your own counsel or company to do it?

24 A. Possible.

25 Q. So you're not sure if you were requested by the Government

1 or not?

2 A. I don't remember that part, yeah. I'm sorry.

3 Q. Don't be sorry. You went to some building in Toronto, you
4 surrendered your phone for a week, and then got it back?

5 A. Correct.

6 Q. Do you know if that copy of the phone was then submitted to
7 the federal government, if you know?

8 A. I don't know. I would assume so.

9 Q. Okay. Was the company dealing with this?

10 A. Was the company ...

11 Q. Was the company dealing with this issue of your phone?

12 A. Yes.

13 Q. The company attorneys?

14 A. Yes.

15 Q. So not Mr. Hurford, but the company attorneys?

16 A. Mr. Hurford was involved in it as well, because --

17 Q. As your personal --

18 A. -- he represented myself.

19 Q. And then the company had other lawyers?

20 A. Correct.

21 Q. And they arranged something maybe with the federal
22 government for the production of your phone?

23 A. I don't know.

24 Q. You don't know, okay. No problem. But you do know it was
25 copied somewhere?

1 A. It was copied, yeah.

2 Q. All right. We got that much. Do you know if anything
3 else, any other of your materials from INKAS were surrendered
4 or otherwise copied; computers, other devices, anything like
5 that?

6 A. No. Just the documents that you see here, you know, sales
7 agreements and purchase invoices.

8 Q. Your contacts with Mr. Didani, were they exclusively on
9 WhatsApp?

10 A. Yes.

11 Q. Was there any text messages or other apps that were ever
12 used?

13 A. Never.

14 Q. Was cellular telephone, not just the calling service within
15 WhatsApp, but was a cellular device used for any calling?

16 A. No, it wasn't. The numbers didn't -- on a regular line
17 didn't correspond to Mr. Didani. Only the WhatsApp numbers
18 did.

19 Q. Did you have just one cellular device?

20 A. I had one cell phone, yes.

21 Q. At the time?

22 A. Yes.

23 Q. Do you remember Mr. Didani and some messages to you talking
24 about his involvement in Dominican politics? You don't have to
25 remember specifics, just generally.

1 A. Yeah.

2 Q. Do you remember him talking about when it was election
3 time, quote/unquote?

4 A. I don't remember that part, but we've had many discussions,
5 yeah.

6 Q. Do you remember him saying, "I've invested too much money
7 in politics"?

8 A. I believe so.

9 MR. FINK: One moment, Mr. Daskal.

10 (Briefly off the record.)

11 MR. FINK: Your Honor, one moment. I just wanted to
12 do this exhibit efficiently that my client has pointed out to
13 me.

14 Judge, can I approach Mr. Daskal with what's marked as
15 Government's 74.6?

16 THE COURT: Yes.

17 BY MR. FINK:

18 Q. Actually, I think you might have it in your book,
19 Mr. Daskal, 74.6.

20 A. 74.6.

21 THE COURT: Is this already admitted?

22 MR. FINK: Not yet, Judge.

23 THE COURT: Okay.

24 THE WITNESS: Okay. I'm here.

25

1 BY MR. FINK:

2 Q. Can you take a look at that screenshot and read through it
3 and tell me if you recognize it and remember?

4 A. Yes. It looks like an attachment of a wire transfer
5 receipt, and then it says, "Bank CAD 189300.PDF."

6 Q. And you're in the green, right, and Mr. Didani is in the
7 gray?

8 A. Yes, sir.

9 Q. Okay. And you're asking why was it sent in Canadian --

10 A. Yes.

11 Q. -- it should be USD? Do you see that?

12 A. Yes.

13 Q. And Mr. Didani's response is, "Dubai can't do USD and
14 Canada, need to do local, can you manage?" Do you see that?

15 A. Yes.

16 Q. And you said, "Of course they can, the account was a USD
17 account"?

18 A. Yes.

19 Q. And talking about how can you manage and you're doing the
20 transfer of funds from Canadian to USD. Do you see that
21 conversation?

22 A. How can I manage -- yeah.

23 Q. Okay. And is this an example of, you know, a situation you
24 were facing where Mr. Didani was trying to send foreign funds,
25 this time CAD, and your desire or need to do it in USD;

1 correct?

2 A. Yeah. It only came to our attention that it was received
3 in CAD at the time. It was supposed to be USD the whole --

4 Q. It was received in CAD; right?

5 A. Yes.

6 Q. And that's why you're telling him the conversion, because
7 actually because of the conversion rate there's more owed;
8 right?

9 A. Yes.

10 Q. My invoice is in USD?

11 A. Yes.

12 Q. And you're sending Canadian?

13 A. Correct.

14 Q. So I actually got less in value?

15 A. Yes, sir.

16 Q. And here's what's owed?

17 A. Yes.

18 MR. FINK: One moment.

19 (Briefly off the record.)

20 BY MR. FINK:

21 Q. As far as you can recall, Mr. Daskal, did all wire
22 transfers that Mr. Didani or someone on his behalf, that you
23 believe to be on his behalf, were they all initiated from
24 foreign banks? When I say foreign, I mean not U.S. banks, as
25 far as you know.

1 A. As far as I recall, they were all foreign.

2 Q. Foreign banks initiated?

3 A. Foreign banks, yes, as far as I recall.

4 Q. Dubai being one of them?

5 A. Dubai is one of them. There was one in Europe as well.

6 MR. FINK: That's all I have, your Honor. Ten minutes
7 to spare.

8 THE COURT: There's never any time to spare, Mr. Fink.
9 Mr. Bilkovic, do you have redirect?

10 MR. BILKOVIC: I may not take ten, but I need a few.
11 May I proceed?

12 THE COURT: You may.

13 REDIRECT EXAMINATION

14 BY MR. BILKOVIC:

15 Q. So that exhibit that Mr. --

16 MR. BILKOVIC: Judge, I would actually move to admit
17 that into evidence.

18 THE COURT: Any objection?

19 MR. FINK: No objection.

20 THE COURT: It's admitted.

21 (Government's Exhibit 74.6 received into evidence.)

22 BY MR. BILKOVIC:

23 Q. So that was basically --

24 MR. BILKOVIC: Thank you, your Honor.
25

1 BY MR. BILKOVIC:

2 Q. That was the exhibit that you sent after you received from
3 Mr. Didani the screenshot of 74.5, the \$189,000 from Camaro;
4 correct?

5 A. Yes.

6 Q. And that was a Canadian -- it was sent in Canadian --

7 A. It was received in Canadian dollars into our U.S. account.

8 Q. Where the other wires were received in U.S. dollar funds?

9 A. U.S. dollars, correct.

10 Q. Did INKAS -- do you know much about the banking system?

11 A. Not too much.

12 Q. Let me ask you this. Do you know what a corresponding bank
13 is?

14 A. Yes.

15 Q. Do you know if INKAS had a corresponding bank in the United
16 States?

17 A. We did.

18 Q. Do you know why INKAS had a corresponding bank in the
19 United States?

20 A. I would assume it's in order to have someone that can issue
21 U.S. dollars.

22 Q. Are you aware of that, that that's required if you want
23 U.S. dollars --

24 A. Yes.

25 Q. -- to be paid?

1 A. Yes. You're referring to an intermediary bank?

2 Q. Yes.

3 A. Yes.

4 Q. And INKAS had one in the United States?

5 A. We did, yes.

6 Q. Okay. And the trading companies, do you remember one by
7 the name of Debonair?

8 A. Yes.

9 Q. And Impact Power or OnPoint Trading?

10 A. OnPoint I remember, yeah, and Debonair.

11 Q. And you said I think before they were all different?

12 A. We never received from the same company or organization.

13 Q. Now, if that were to happen today --

14 A. Yes.

15 Q. -- would INKAS have a different process versus what they
16 had back then?

17 A. Oh, yeah.

18 MR. FINK: Objection.

19 THE COURT: That's what?

20 MR. FINK: Objection to relevance as to what their
21 remedial measures are or what they're doing now. I don't see
22 how that's relevant.

23 MR. BILKOVIC: Let me withdraw it. I'll --

24 THE COURT: Yeah, sustained.

25 MR. BILKOVIC: I'll re-ask it a different way.

1 THE COURT: Go to another question.

2 BY MR. BILKOVIC:

3 Q. Again, you do not know who ran these companies; correct?

4 A. I do not.

5 Q. Do you know if it was one person or ten people?

6 A. No, I don't.

7 Q. Do you know if it was person running all of the companies?

8 A. No, I don't.

9 Q. In any event, did any of those wires come from an account
10 that had Mr. Didani's name on it?

11 A. Never.

12 Q. Did any of those wires come from an account that had
13 "Yefreddy" on it?

14 A. No.

15 Q. So basically if you wanted to trace that money you would
16 have to trace it to one of these many trading companies in
17 Dubai?

18 A. Yes, sir.

19 Q. You mentioned something to Mr. Fink about -- or he brought
20 up to you about logistics, that you believe that that's what
21 Mr. Didani did was logistics?

22 A. Yes.

23 Q. Did he ever tell you that he owned a coal mining company?

24 A. Not that I remember.

25 Q. What is logistics?

1 A. Logistics, the way I see it, is moving -- it's
2 transportation companies, you know, dealing with ships, moving,
3 you know, import, export cargo. It could be anything from, you
4 know, agriculture to machinery.

5 Q. Cocaine from one country to another?

6 A. Cocaine from one country to another, yes.

7 Q. And just, finally, Mr. Fink brought up that Mr. Didani --
8 you thought he was generous because he would help poor kids?

9 A. Yes.

10 Q. Do you know where he got the money to do that?

11 A. I do not.

12 Q. Do you have some ideas after what you now know about this
13 case and after he sent you that article?

14 A. Yes, I do.

15 MR. BILKOVIC: Nothing further.

16 EXAMINATION

17 BY THE COURT:

18 Q. I have a couple questions. The same rule applies, okay.

19 And that is when you were involved this period of
20 about a year with Mr. Didani, did you accept any cash payments
21 from any other companies that were purchasing anything from
22 you?

23 A. No, your Honor.

24 Q. Have you ever done that before?

25 A. No, I haven't, your Honor.

1 Q. And do you still have an office in Toronto?

2 A. Yes, we do.

3 Q. Do you have them in any other cities other than Miami and
4 Toronto?

5 A. We have an office in Toronto, an office in Miami, we have
6 an office in Lagos, Nigeria as well. It's a service center
7 basically, maintenance and service center. It's also used as a
8 sales office.

9 THE COURT: Okay. That's all I have.

10 Do you have any other questions?

11 MR. BILKOVIC: I have nothing further.

12 MR. FINK: Just following up on one of your questions,
13 Judge.

14 RE CROSS EXAMINATION

15 BY MR. FINK:

16 Q. That Miami office was open after your dealings with
17 Mr. Didani; correct?

18 A. Yes, sir.

19 MR. FINK: Nothing further, Judge.

20 THE COURT: Okay. Anything further?

21 MR. BILKOVIC: No. I'd ask the witness be excused.

22 THE COURT: Okay. You may step down.

23 And he's free to go; right?

24 MR. BILKOVIC: Yes.

25 MR. FINK: Yes, he is. Thank you, Mr. Daskal.

1 THE WITNESS: Thank you.

2 (End of excerpt at 3:52 p.m.)

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7 CERTIFICATE OF COURT REPORTER

8
9 I, Sheila D. Rice, Official Court Reporter of the
10 United States District Court, Eastern District of Michigan,
11 appointed pursuant to the provisions of Title 28, United States
12 Code, Section 753, do hereby certify that the foregoing pages
13 is a correct transcript from the record of proceedings in the
14 above-entitled matter.

15
16
17 **s/Sheila D. Rice**

18 Sheila D. Rice, CSR-4163, RPR, RMR, FCRR
19 Federal Official Court Reporter
United States District Court
Eastern District of Michigan

20 Date: 04/11/2025
21 Detroit, Michigan.